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Alberta

Freedom To Create. Spirit To Achieve.

Justice

Annual Report
2010-11

Government of Alberta

Note to Readers:
Copies of the annual report are available on the Alberta Justice Communications website or by contacting:

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ISBN: 978-0-7785-9570-0

June 2011

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Justice

Annual Report

2010-11

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Preface

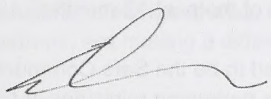
The Public Accounts of Alberta are prepared in accordance with the *Financial Administration Act* and the *Government Accountability Act*. The Public Accounts consist of the annual report of the Government of Alberta and the annual reports of each of the 24 Ministries.

The annual report of the Government of Alberta contains Ministers' accountability statements, the consolidated financial statements of the Province and *The Measuring Up* report, which compares actual performance results to desired results set out in the government's strategic plan.

This annual report of the Ministry of Justice contains the Minister's accountability statement, the audited financial statements of the Ministry and a comparison of actual performance results to desired results set out in the Ministry business plan. This Ministry annual report also includes other financial information as required by the *Financial Administration Act* and *Government Accountability Act*, either as separate reports or as a part of the financial statements, to the extent that the Ministry has anything to report.

Minister's Accountability Statement

The Ministry's annual report for the year ended March 31, 2011, was prepared under my direction in accordance with the *Government Accountability Act* and the government's accounting policies. All of the government's policy decisions as at June 6, 2011 with material economic or fiscal implications of which I am aware have been considered in the preparation of this report.



Honourable Verlyn Olson, Q.C.
Minister of Justice and Attorney General

Message from the Minister



Success is measured by achievement, but also by commitment and progress. By that standard, 2011 was an extremely successful year for Alberta Justice and Attorney General. The scope of accomplishment, as well as the work underway and the motivation of Ministry staff, make it a pleasure to provide a few highlights of the past 12 months.

A primary focus of the Ministry continued to be the Safe Communities Initiative, now in its third year. The nine partnering ministries of the Safe Communities Initiative continued to work closely together on the ongoing development of a provincial crime prevention framework. As a community-centred approach to crime prevention and reduction, Safe Communities is grounded in honest dialogue, partnerships, and community engagement.

Nowhere was this better highlighted than at the Mobilizing for Safe Communities event held in Calgary in March 2011. Bringing together more than 200 of Alberta's front line Safe Communities partners with some of North America's leading experts on community mobilization and crime prevention, the event exemplified how Safe Communities helps Albertans make connections around crime prevention, both with experts and with each other. The discussions and exchanges that were the hallmark of the two-day event will help shape future crime prevention strategies in the province, and will inform some of the work we are doing to target crime at the local level.

A key to building safe communities lies in assisting Alberta communities to build their capacity to tackle crime prevention and reduction. Training sessions were held by Alberta Justice staff in locations across the province to help and encourage municipalities and agencies to develop innovative crime prevention strategies for their communities.

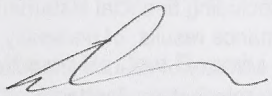
The Ministry continues to provide funding for innovative crime reduction community projects that address a range of unique local crime concerns, from at-risk youth to family violence and mental health addictions. These projects will go a long way to make our communities stronger and safer.

Community engagement also plays a significant part in the Alberta Gang Reduction Strategy that was announced. Gang activity in the province and across Canada poses significant challenges. The strategy is a long-term approach that looks to reduce gang activity by depriving them of new recruits. The goal is to steer vulnerable youth away from the risks and dangers of gang involvement through a balanced approach built on awareness, prevention, intervention and enforcement.

The Civil Forfeiture Office continued to be active, restraining property connected to criminal activity and using the proceeds from it to support crime prevention and victims' programs. As of March 31, 2011, the total value of property restrained stood at $21 million. This continues to be a way to hit criminals where it hurts – in their wallets.

One measure of the fairness of any justice system is its accessibility. For this reason, Alberta Justice continued its efforts to improve Albertans' access to justice, including work to enhance the efficiency of the court process. The Ministry continues to look at ways to use technology to improve court processes and the flow of information. This work will result in stronger relationships with our partners, including the police and the defence counsel, as well as the Albertans whom we serve.

In closing, it is a pleasure to acknowledge the hard work of everyone at Alberta Justice this past year. The Ministry is composed of people who make up an extraordinarily dedicated and industrious team, and who, together with the support and cooperation of the Ministry's many partners, are making a difference in the safety and well being of every Albertan.



Verlyn Olson, Q.C.
Minister of Justice and Attorney General

Management's Responsibility for Reporting

The executives of the Ministry have the primary responsibility and accountability for the Ministry. Collectively, the executives ensure the Ministry complies with all relevant legislation, regulations and policies.

Ministry business plans, annual reports, performance results and the supporting management information are integral to the government's fiscal and strategic plan, annual report, quarterly reports and other financial and performance reporting.

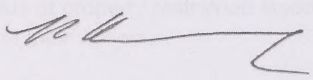
Responsibility for the integrity and objectivity of the financial statements and performance results for the Ministry rests with the Minister of Justice and Attorney General. Under the direction of the Minister, I oversee the preparation of the Ministry's annual report, including financial statements and performance results. The financial statements and the performance results, of necessity, include amounts that are based on estimates and judgments. The Ministry of Justice financial statements are prepared in accordance with Canadian public sector accounting standards. The Office of the Public Trustee financial statements are prepared in accordance with a described basis of accounting, to address the unique nature of these financial statements. The performance measures are prepared in accordance with the following criteria:

- Reliability – Information agrees with the underlying data and the sources used to prepare it.
- Understandability and Comparability – Current results are presented clearly in accordance with the stated methodology and are comparable with previous results.
- Completeness – Performance measures and targets match those included in Budget 2010.

As Deputy Minister, in addition to program responsibilities, I am responsible for the Ministry's financial administration and reporting functions. The Ministry maintains systems of financial management and internal control which give consideration to costs, benefits, and risks that are designed to:

- provide reasonable assurance that transactions are properly authorized, executed in accordance with prescribed legislation and regulations, and properly recorded so as to maintain accountability of public money;
- provide information to manage and report on performance;
- safeguard the assets and properties of the Province under Ministry administration;
- provide Executive Council, the President of Treasury Board, the Minister of Finance and Enterprise and the Minister of Justice and Attorney General information needed to fulfill their responsibilities; and
- facilitate preparation of Ministry business plans and annual reports required under the *Government Accountability Act*.

In fulfilling my responsibilities for the Ministry, I have relied, as necessary, on the executives within the Ministry.



Ray Bodnarek, Q.C.
Deputy Minister of Justice and Deputy Attorney General
June 6, 2011

Results Analysis

Ministry Overview

In collaboration with the judiciary, communities, government agencies and non-governmental organizations, the Ministry of Justice strives to fulfill its mission to protect the rights of all individuals in Alberta and advance the interests of society by fostering: safe communities; access to justice; respect for the law; understanding of and confidence in the justice system; and the legal foundation for social cohesion and economic prosperity.

Boards, Agencies and Committees

Alberta Review Board

The Alberta Review Board makes or reviews dispositions concerning any accused person for whom a verdict of "not criminally responsible because of mental disorder" or "unfit to stand trial" is rendered, according to the provisions of the *Criminal Code of Canada*. The board also has the responsibility for determining whether a person should be subject to a detention order or conditional discharge, or be granted an absolute discharge. The board's nine members are appointed by the Lieutenant Governor in Council.

Fatality Review Board

The Fatality Review Board is responsible for reviewing certain deaths investigated by the Office of the Chief Medical Examiner and recommending to the Minister of Justice and Attorney General whether a public fatality inquiry should be held. The board is appointed by the Lieutenant Governor in Council and is composed of a lawyer, a physician and a layperson. Cases reviewed by the board generally include accidental deaths (where recommendations could be made at a public fatality inquiry for the prevention of similar deaths in the future), cases where the cause and manner of death remain undetermined after a complete investigation, and deaths of individuals who are in police custody, in prison, certified under the *Mental Health Act*, or under the Director of Child Welfare's guardianship or in the director's custody.

Judicial Council

The Judicial Council screens individuals to determine if they are qualified for appointment to the Provincial Court of Alberta. The council is granted jurisdiction to deal with complaints against masters, Provincial Court judges and Justices of the Peace. The Minister of Justice and Attorney General appoints two members of this council. The remaining four members are designated under the *Judicature Act.*

Notaries Public Review Committee

The Notaries Public Review Committee advises the Minister of Justice and Attorney General on appointments of lay notaries public. The committee consists of a member of the Law Society of Alberta, a member of the business community and a member of the Ministry, who is the secretary. All are appointed by Ministerial Order under the *Government Organization Act*. The committee reviews applications for appointment and then provides recommendations to the Minister of Justice and Attorney General.

Provincial Court Nominating Committee

The Provincial Court Nominating Committee provides recommendations to the Minister of Justice and Attorney General on the appointment of individuals to the Provincial Court of Alberta. The committee is comprised of 11 members who are appointed by the Minister of Justice and Attorney General. Committee members represent the Alberta Provincial Court, the Law Society of Alberta, the Canadian Bar Association (Alberta Branch), the legal profession, and the public.

Rules of Court Committee

The Rules of Court Committee makes recommendations to the Minister of Justice and Attorney General on the amendments to the Rules of Court made under the *Judicature Act.* The committee consists of six members: the Chief Justice of Alberta or designate, the Chief Justice of the Court of Queen's Bench or designate, the Chief Judge of the Provincial Court of Alberta or designate, two members appointed by the Minister of Justice and Attorney General on recommendation of the Law Society of Alberta, and one member appointed by the Minister of Justice and Attorney General.

Department of Justice

Each division provides specific expertise to the justice system. All divisions share responsibility for providing integrated service by partnering with one another, with other Alberta ministries, the judiciary and stakeholder organizations.

Client and Corporate Services

Client and Corporate Services provides strategic advice and services to the Ministry in the areas of business and financial planning and reporting; performance measurement; information technology management; *Freedom of Information and Protection of Privacy Act* administration; records management; contract management; enterprise risk management; emergency management; capital planning; and, project management. The Division also manages the Maintenance Enforcement Program, the Motor Vehicle Accident Claims and Recoveries program, the Fines Enforcement program, the Notaries Public and Commissioners for Oaths programs, and the Documentation Authentication program, as well as providing asset management and disposal services on behalf of the Civil Forfeiture Office.

Communications

Communications provides strategic communications support and advice to the Minister, Deputy Minister, and department executive management and staff. Communications also informs Albertans about the justice system and department goals, initiatives and achievements.

Court Services

Court Services provides administrative and technical support to Alberta's three courts: the Court of Appeal of Alberta, the Court of Queen's Bench of Alberta and the Provincial Court of Alberta. The Division also provides information and support to the Ministry and Minister of Justice and Attorney General. The Division develops strategies to provide access to a broad range of services including mediation and other dispute resolution mechanisms. Court Services also operates Law Information Centres and Family Justice Services to provide assistance to self-represented litigants. In addition, Law Libraries provide legal information to judges, Crown prosecutors, other lawyers and the public.

Criminal Justice

Criminal Justice is responsible for the prosecution of persons charged with *Criminal Code of Canada, Youth Criminal Justice Act* and provincial statute offences, and also handles criminal appeals in the Alberta Court of Appeal and the Supreme Court of Canada on behalf of Alberta's Attorney General. Criminal Justice also develops criminal law policy for the province and supports criminal law consultation with other provinces, territories and the Government of Canada.

Human Resource Services

Human Resource Services provides advisory services and support to Justice divisions in the areas of staffing, employee/labour relations, organizational design, staff development, performance management, and develops and delivers human resource programs.

Legal Services

Legal Services provides legal services to all Government of Alberta ministries and represents them in matters before the courts and tribunals. The Legislative Counsel Office is responsible for drafting government bills, regulations and Orders in Council. The Public Trustee protects the financial interests of vulnerable Albertans by administering the estates of represented adults, decedents and minors.

Medical Examiner's Office

The Medical Examiner's Office investigates all unexplained natural deaths and unnatural deaths in Alberta under the authority of the *Fatality Inquiries Act*. The findings may be used to assist in resolving civil and criminal law matters that often arise after a death.

Safe Communities and Strategic Policy

Safe Communities and Strategic Policy is Justice's strategic policy division and is responsible for coordinating and prioritizing cross-ministry work related to crime prevention and reduction, and Justice policy. Through its partnerships with other government ministries, communities and key stakeholders, Safe Communities supports programs and initiatives that strike a balance between prevention, treatment and enforcement. Recent examples of this work include the on-going development of the draft crime prevention framework, the announcement of the Alberta Gang Reduction Strategy and funding of pilot projects under the Safe Communities Innovation Fund (SCIF). The Division is also focused on community engagement to support and encourage crime prevention at the grass roots level. The division champions access to justice initiatives and facilitates understanding and change within the justice system.

AUDITOR GENERAL *Alberta*

Review Engagement Report

To the Members of the Legislative Assembly

I have reviewed the performance measure identified as "Reviewed by Auditor General" in the *Ministry of Justice and Attorney General's 2010-11 Annual Report*. This performance measure is the responsibility of the Ministry and is prepared based on the following criteria:

- Reliability – Information agrees with the underlying data and with sources used to prepare it.
- Understandability and Comparability – Current results are presented clearly in accordance with the stated methodology and are comparable with previous results.
- Completeness – Performance measures and targets match those included in Budget 2010.

My review was made in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of enquiry, analytical procedures and discussion related to information supplied to my Office by the Ministry. My review was not designed to provide assurance on the relevance of this performance measure.

A review does not constitute an audit and, consequently, I do not express an audit opinion on the performance measure.

Based on my review, nothing has come to my attention that causes me to believe that the "Reviewed by Auditor General" performance measure in the Ministry's 2010-11 Annual Report is not, in all material respects, presented in accordance with the criteria of reliability, understandability, comparability, and completeness as described above. However, my review was not designed to provide assurance on the relevance of this performance measure.

Merwan N. Saher, CA

Auditor General

May 9, 2011

Edmonton, Alberta

Performance Measures Summary Table

Core Businesses/Goals/Performance Measure(s)		Prior Years' Results				Target	Current Actual
Core Business One: Prosecution Service							
Goal 1: Promote safe communities in Alberta							
1.a	**Public Perception of Safety in the Home**: The percentage of Albertans who feel "reasonably safe" or "very safe" in their home after dark	93% 2006-07	93% 2007-08	91% 2008-09	91% 2009-10	**No lower than 90%**	94% 2010-11
1.b♦	**Public Perception of Safety in the Neighbourhood**: The percentage of Albertans who feel "reasonably safe" or "very safe" walking alone in their area after dark	75% 2006-07	75% 2007-08	73% 2008-09	78% 2009-10	**82%**	82% 2010-11
1.c	**Public Perception of Fairness in the Prosecution Service**: The percentage of Albertans who "strongly agree" or "somewhat agree" that Alberta Justice provides a fair and impartial service to prosecute people charged with a crime			71% 2008-09	76% 2009-10	**71%**	77% 2010-11
1.d	**Public Understanding of the Justice System**: The percentage of Albertans who "somewhat agree" or "strongly agree" that they have a good understanding of the justice system in Alberta	69% 2006-07	70% 2007-08	70% 2008-09	75% 2009-10	**70%**	77% 2010-11
1.e	**Public Confidence in the Justice System**: The percentage of Albertans who report "some confidence" or "a lot of confidence" in the justice system in Alberta	73% 2006-07	67% 2007-08	76% 2008-09	81% 2009-10	**71%**	81% 2010-11
Core Business Two: Courts							
Goal 2: Promote a fair and accessible civil and criminal justice system							
2.a	**Median Elapsed Time from First to Last Appearance**: The midpoint in the number of days it takes to process a case in court from first to last appearance			128 days 2007-08	121 days 2008-09	**122 days or less**	121 days 2009-10
2.b	**Provincial Court Civil Mediation Settlement Rate**: The number of civil actions settled through the civil claims mediation program divided by the total number of civil actions mediated in the program	63% 2006-07	65% 2007-08	59% 2008-09	63% 2009-10	**63%**	62% 2010-11
2.c	**Family Justice Service Seminars**: The percentage of Parenting After Separation participants who rate the coverage of seminar topics as "good" or "very good"				89% 2009-10	**89%**	89% 2010-11
2.d	**Law Information Centres**: The percentage of Law Information Centre clients who are satisfied overall with the services provided				95% 2009-10	**95%**	97% 2010-11

Core Businesses/Goals/Performance Measure(s)	Prior Years' Results				Target	Current Actual
Core Business Three: Justice Services to Albertans						
Goal 3: Provide access to justice services for Albertans in need						
3.a **Client Satisfaction with the Services of the Office of the Public Trustee**: The percentage of clients "satisfied" or "very satisfied" with the services of the Office of the Public Trustee	92% 2006-07	90% 2007-08	89% 2008-09	90% 2009-10	**87%**	90% 2010-11
3.b **Maintenance Enforcement Program – Regularity of Payment Rate**: The program's compliance rate on cases enrolled by regular monthly payments	67% 2006-07	68% 2007-08	69% 2008-09	67% 2009-10	**69%**	69% 2010-11
3.c **Client Satisfaction with Legal Aid Services**: The percentage of respondents who are "satisfied" or "very satisfied" with the service they received from Legal Aid Alberta	77% 2006-07	76% 2007-08	80% 2008-09	74% 2009-10	**80%**	77% 2010-11
Goal 4: Improve efficiency in the justice system through reengineering of justice processes						
4.a **Number of Appearances per Case**: The number of appearances per case for Provincial Court Criminal						
Edmonton	5.3 2006-07	5.0 2007-08	6.2 2008-09		**5**	6.5 2009-10
Calgary	6.3 2006-07	6.6 2007-08	6.9 2008-09		**5**	6.9 2009-10
4.b **Time to Disposition**: The mid-point in elapsed time between first and last appearance for cases disposed of in Provincial Court Criminal						
Edmonton						
• Cases disposed of by trial	300 days 2006-07	314 days 2007-08	296 days 2008-09		**No more than 293 days**	282 days 2009-10
• Cases disposed of without trial	170 days 2006-07	223 days 2007-08	141 days 2008-09		**No more than 147 days**	136 days 2009-10
Calgary						
• Cases disposed of by trial	368 days 2006-07	401 days 2007-08	415 days 2008-09		**No more than 363 days**	460 days 2009-10
• Cases disposed of without trial	127 days 2006-07	130 days 2007-08	127 days 2008-09		**No more than 118 days**	132 days 2009-10
4.c **Charge Clearance Rate**: The number of charges concluded as a percentage of the number of charges commenced						
Edmonton		101.1% 2008-09	98.6% 2009-10		**100%**	99.3% 2010-11
Calgary		99.3% 2008-09	94.8% 2009-10		**100%**	101.5% 2010-11

Core Businesses/Goals/Performance Measure(s)		Prior Years' Results				Target	Current Actual
Core Business Four: Legal and strategic services to government							
Goal 5: Assist government ministries to achieve their objectives through the provision of effective legal and related strategic services							
5.a*	**Client Satisfaction with Legal Services**: The percentage of clients from Government of Alberta ministries who are "satisfied" or "very satisfied" with the legal services provided by the Legal Services Division, Civil Law	90% 2006-07	88% 2007-08	91% 2008-09	O 2009-10	**89%**	90% 2010-11
5.b	**Client Satisfaction with Assistance in Meeting Corporate Goals**: The percentage of clients from Government of Alberta ministries who are "satisfied" or "very satisfied" that the legal services provided by the Legal Services Division, Civil Law helped them achieve their department's corporate goals	87% 2006-07	87% 2007-08	89% 2008-09	O 2009-10	**87%**	88% 2010-11
5.c	**Legal Education Sessions**: The percentage of legal education session participants who are "satisfied" or "very satisfied" with the legal education sessions provided to them				89% 2009-10	**89%**	94% 2010-11

* **Indicates Performance Measures that have been reviewed by the Office of the Auditor General**

The performance measures indicated with an asterisks were selected for review by ministry management based on the following criteria established by government:

- Enduring measures that best represent the goal and mandated initiatives.
- Measures for which new data is available.
- Measures that have well established methodology.

♦ This measure is also included in Measuring Up 2010-11 under Goal 7. Data for this measure for years 2009-10 and 2010-11 were audited by the Auditor General as indicated in the Measuring Up Auditor's Report.

O A biennial survey schedule was adopted in 2009-10 to reduce survey fatigue; therefore, no results are available for 2009-10.

For more detailed information see the Discussion and Analysis of Results section of the annual report (pages 14-26) and the Performance Measure Methodology section (pages 27-33).

GOAL 1 Linked to Core Business 1 – Prosecution Service

Promote safe communities in Alberta

In partnership with other government ministries, key stakeholders, and crime prevention experts, Alberta Justice led the development of a draft crime prevention framework, including strategic directions and outcomes to support province-wide crime prevention efforts. The Framework will act as a strategic road map for crime prevention in the province. It will shift the policy focus from the enforcement of crime to a more balanced approach, which supports an increased emphasis on the prevention of crime. The Framework is a significant part of the government's plan to ensure Alberta is a safe place to live, work, and raise families.

In conjunction with the cross-ministerial development of the draft crime prevention framework, outcomes and an initial set of performance indicators were also developed to assess and report on successes of the draft framework. As part of the larger performance information strategy for Safe Communities, outcomes and indicators were also identified to track the results and success of Safe Communities projects managed by various partnering government ministries. As a result, efforts are coordinated and ministries are accountable to ensure the success of Alberta's crime prevention work.

Alberta Justice hosted the Mobilizing for Safe Communities event at Mount Royal University in Calgary on March 29 and 30, 2011. The event brought together citizens engaged in crime prevention and community safety at the local level to share their successes and experiences in mobilizing community partnerships and to hear from leading experts in the areas of crime prevention research, municipal best practices, community mobilization, policing and youth engagement. This successful event supports our commitment to community engagement, knowledge sharing, fostering partnerships and encouraging inter-agency coordination and collaboration for long-term, sustainable crime prevention.

Safe Communities Innovation Fund (SCIF) staff held 16 SCIF training sessions around the province to champion and encourage municipalities and agencies to develop innovative crime prevention strategies for their communities. Twenty-eight new SCIF pilot projects were approved in municipal, regional and Aboriginal communities throughout the province. These pilot projects are based on successful evidence-based approaches to reduce and prevent crime and address issues that include but are not limited to: youth at risk, family violence, mental health problems and addiction. These pilot projects began implementation in April 2011. In addition, SCIF provided ongoing support and consultation to the 60 previously funded pilot projects currently serving communities throughout the province. By investing in community crime prevention partnerships, important work is being done to keep communities safe.

In December 2010, the Alberta Gang Reduction Strategy was announced. Led jointly with Alberta Solicitor General and Public Security, the strategy is grounded in research and evidence about what works and is the product of considerable community consultation, which included the Alberta Gang Summit held in June 2009. The strategy reflects the Government of Alberta's commitment to reduce gang-motivated crime and violence through a long-term, balanced approach of awareness, prevention, intervention and enforcement. An implementation plan is being developed and includes

an education campaign to raise awareness among Albertans, particularly parents and youth, about the risk factors and realities of gang crime and gang involvement. An interactive website was created for partners and stakeholders to facilitate discussion, training and sharing of ideas and expertise. The Alberta Gang Reduction Strategy forms an important part of the draft crime prevention framework and both initiatives are exemplary models of what can be achieved through cross-ministry work in partnership with communities and a range of stakeholders, particularly police.

The Civil Forfeiture Office continues to be an effective tool for police to stem the rise of illegal activity, in particular, gang-related crimes. To date, upwards of $21 million worth of property and assets tied to crime, including more than 173 drug dealer vehicles and 49 marijuana grow ops and drug houses, have been restrained. Funds realized from the disposal of forfeited property and assets are available for distribution to victims and crime prevention programs. In 2010-11, $300,000 was distributed to these programs. An additional $1.5 million has been earmarked for further distribution. The Civil Forfeiture Office is unique in Canada for going after criminal property at the community level and strengthens our commitment to keeping our communities strong and safe. Early results indicate the process is quick, effective, and prevents crime. Out of 300 cases commenced, only five offenders whose property was restrained have re-offended.

In 2010-11, a three-year $1.7 million project was announced to implement an Alberta research project to supervise offenders utilizing Global Positioning System Electronic Monitoring (GPS-EM) technology. Pilot projects will be run by the Calgary Police Service, the Edmonton Police Service and a community partnership in Red Deer. The pilot projects will assist the research groups in gathering data and comparing supervision techniques with a goal of improving offender management practices and reducing crime. Researchers will evaluate the effectiveness of applying electronic monitoring to the supervision of offenders. Electronic monitoring is not a replacement for jail; however, new uses of technology may enhance community supervision and support the government's priority to keep Albertans safe. Ongoing research contributes to the development of a provincial crime prevention strategy that is evidence-based and demonstrated to be effective.

In collaboration with Solicitor General and Public Security, the Ministry has continued to oversee the implementation of the Priority Prolific Offender Project (PPOP). The PPOP unit is a value-added service to prosecutors, the courts and Albertans by ensuring prosecutors have complete information on the history and prolific criminal activity of offenders. The up-to-date and comprehensive bail packages allow prosecutors to thoroughly present their cases to the courts, and at the same time, these bail packages permit the courts to make an informed decision on offenders, based on complete facts.

Alberta Justice is working closely with partners and stakeholders to develop an Integrated Justice Services Project (IJSP) business case. The IJSP project focuses on integrating health, social, community and justice services to facilitate effective and coordinated service delivery and case management for civil, family and criminal matters. The business case will outline opportunities to leverage the authority of the court and existing community resources and services to link high risk to re-offend adult offenders in the criminal justice system with needed treatment and support services to address their offending cycle and concurrent problems, and reduce crime in our communities. Alberta Justice is working with partners to develop a detailed implementation plan to pilot the project.

In 2010-11, Alberta introduced the *Missing Persons Act* in the Alberta Legislature. The legislation allows a police agency to obtain personal information about a missing person in cases where they have no reason to suspect that a crime has been committed. Currently, police agencies cannot compel individuals or corporations to release personal information such as telephone or cell phone records, credit card usage records or corporate video surveillance about the missing person. The proposed new Missing Persons legislation balances an individual's right to privacy with access to information vital to the missing person's safety. Helping police agencies conduct and conclude missing persons investigations more quickly and efficiently contributes to safer communities.

The Witness Security Program is currently in the developmental stages. April 2010 saw the passage of the *Witness Security Act* and in September the hiring of the Witness Security Coordinator. The ground work is presently being laid to build a viable Witness Security Program aimed at enhancing prosecutions of serious crime. Alberta police agencies and other partners have been instrumental from the onset in providing their insight and experience towards the development of the program. The program will allow witnesses with valuable information for criminal trials to testify and be granted witness protection from potential retaliation.

Safe communities are achieved not only through crime prevention measures but also by the development of the law in such a way that it enhances offender accountability, proportionality in sentencing and public safety. Alberta Justice has played a major role in significant developments in the law, both provincially and nationally.

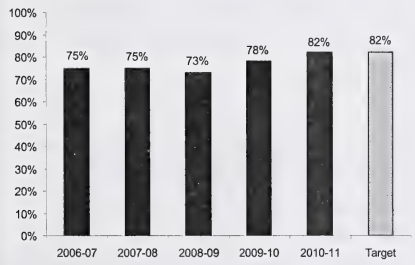
Alberta Justice developed a process to streamline the development of criminal law reform undertaken by Federal/Provincial/Territorial Ministers and Deputy Ministers responsible for Justice. This process has been used to advance law reform work on initiatives critical to combating organized crime and other serious criminal activity. The Federal/Provincial/Territorial Ministers responsible for Justice have accepted proposals and significant progress has been made on recommendations for reform relating to electronic disclosure, modernizing the wiretap provisions of the *Criminal Code*, mega-trial reform, increased penalties for fraud and white collar crime and strengthening the bail provisions of the *Criminal Code*. These changes to the federal *Criminal Code* enable the provinces to more effectively prosecute offenders and are part of Alberta's comprehensive plan to ensure Alberta communities are safe.

Last year, Alberta Justice had the opportunity to advance a number of significant legal issues before the Courts that may directly improve the safety of our communities. The decisions rendered have demonstrated considerable success in the handling of these appeals before the Alberta Court of Appeal and/or the Supreme Court of Canada.

Alberta has been at the forefront in the development of the law as it relates to offences of Internet child exploitation and Internet child luring, attempting to ensure that the law is responsive and effective. Two cases are particularly significant. In ***R. v. Levigne***, Alberta Justice successfully argued that an accused must take reasonable steps to establish that the person he/she is communicating with online is an adult. Alberta Justice successfully argued in ***R. v. Legare*** that the offence of Internet luring with a child is complete with the communication and the Crown does not have to prove the intention to meet.

Another significant example is the court's reconsideration of the law as it relates to the defence of provocation, which operates to reduce an intentional murder to manslaughter. This defence has been harshly criticized as it is often relied upon in spousal violence cases. In ***R. v. Tran***, Tran was convicted of murdering his estranged spouse's new partner and disfiguring his estranged spouse. The Supreme Court of Canada restricted the availability of provocation as a defence indicating that antiquated social beliefs that reflect homophobia, treatment of a spouse as a possession or inappropriate concepts of challenges to one's "honour" in the context of honour killings, have no place in the current application of the defence.

Public perception of safety in the neighbourhood: *the percentage of Albertans who feel "reasonably safe" or "very safe" walking alone in their area after dark*



Source: Alberta Justice 2010-11 Public Opinion Survey, Resinnova Research Inc. and Alberta Solicitor General and Public Security 2010-11 Public Opinion Survey, Resinnova Research Inc.

Notes:

- For methodology related to this performance measure see page 27.

- In 2010-11, the majority of Albertans (82 per cent) felt "reasonably safe" or "very safe" walking alone in their neighbourhood or area after dark; a four per cent increase over 2009-10. This is the first time the target of 82 per cent has been achieved. Seventeen per cent indicated they feel "somewhat unsafe" or "very unsafe" walking alone in their neighbourhood or area after dark.
- Higher perceived safety levels were identified among residents in smaller cities in northern Alberta and rural areas of southern Alberta, men, those 18 to 24 years old, those in households with an annual income of $100,000 or more, those with university education and respondents who feel very safe when in their own home after dark.
- Perceptions of safety in the neighbourhood are shaped by a number of factors including citizens' previous victimization experience, media reports of crime, and the experiences of friends and family.

GOAL 2 Linked to Core Business 2 – Courts

Promote a fair and accessible civil and criminal justice system

The *New Rules of Court* came into force on November 1, 2010. Alberta Justice, the Legal Education Society of Alberta and other stakeholders worked collaboratively to successfully develop and deliver training to legal support staff in Edmonton, Calgary, Red Deer and Lethbridge on how to use the new rules. Enhancements were made to the Civil and Sheriff Entry System (CASES), an Alberta Justice software application, to accommodate the new rules.

To improve access to the justice system, the Ministry continues to deliver on a number of forms of dispute resolution, including mediation, judicial dispute resolution, mini-trials and access to specialized courts. By offering more options and lowering costs, these alternatives can improve access to the justice system. To guide the development, integration and interaction of this broad range of resolution options, the Ministry continued to prepare a policy framework. Consultations were held with judiciary and interested stakeholders, including Legal Aid Alberta, to obtain feedback on the draft policy framework and develop an implementation plan.

To assist Albertans in understanding and navigating that justice system, Alberta Justice continued to provide services through the province's Law Information Centres (LInCs). LInCs help Albertans who choose to represent themselves in civil and criminal cases learn about general court procedures and access legal information such as cases and precedents. The centres also offer support in filling out forms and documentation and provide referrals to legal representation available through various non-profit agencies.

In addition to LInCs, Alberta Justice provides Family Law Information Centres to help Albertans with family law matters including providing referrals to Family Justice Services. Family Justice Services works directly with individuals and with the judges of the Alberta Provincial Court and Court of Queen's Bench to help people achieve appropriate solutions for their family law issues. The Family Justice Services Streamlining Project developed recommendations to provide consistent delivery of family justice services across the province to ensure families receive the least intrusive service to effectively meet their needs in a timely manner. The recommendations support reduced duplication, enhanced use of technology, and a consistent base of services.

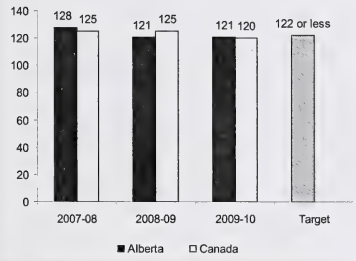
Alberta Justice continued to inform and educate parents by providing Parenting After Separation seminars about the emotional and legal implications of separation and divorce and to inform them about the available resolution options. In 2010-11, 270 Parenting After Separation seminars were offered across the province with over 8,600 participants completing the course. As indicated in the performance measure summary table on page 11 of this annual report, 89 per cent of PAS seminar participants rated the coverage of seminar topics aimed at informing parents about the process of separation and divorce and available dispute resolution options as either "good" or "very good."

To provide timely and just outcomes in criminal cases, Alberta Justice has been exploring a range of criminal law reform and policy alternatives in order to incorporate the concept of proportionality in the criminal justice system. Processes, procedures, and remedies available in criminal cases have, over the last 20 years, dramatically lengthened criminal trials and increased their cost. These complex rules and processes apply to all criminal charges, regardless of how serious. The concept

of proportionality links resources, processes and procedures used in the justice system to the severity of the potential consequences upon conviction. Streamlined processes would be used for less serious matters. To this end, the Ministry prepared a research paper regarding potential approaches for incorporating proportionality into Alberta's justice system. The Ministry presented the concept of proportionality at forums with other jurisdictions and stakeholders in the justice system.

To improve accessibility, Alberta Justice Law Library staff worked in collaboration with stakeholders to prepare a written report outlining changes to library collections designed to achieve efficiencies in delivering legal information services to Albertans in the most cost effective manner possible.

Median Elapsed Time from First to Last Appearance: *the midpoint in the number of days it takes to process a case in court from first to last appearance*



Source: Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics

Notes:

- The title of this measure as published in the 2010-13 Alberta Justice Business Plan has been changed from "Provincial Court Criminal Median Elapsed Time from First to Last Appearance" to "Median Elapsed Time from First to Last Appearance" to reflect that the reported results include both Provincial Court and Superior Court adult criminal case data.
- 2009-10 results are the most current data available.
- For methodology related to this performance measure see page 28.

- The Ministry must ensure that Albertans are provided with access to the courts in a reasonable amount of time.
- In 2009-10, the median elapsed time from first to last appearance was 121 days for adult cases tried at the Provincial Court of Alberta and the Court of Queen's Bench. This is consistent with the 2008-09 result. The target of 122 days or less was met.
- The Canadian median elapsed time required to dispose of a case in adult criminal courts (for the 10 reporting jurisdictions) was 120 days. The decrease in Canada's median elapsed time from 125 days in 2008-09 to 120 days in 2009-10 can be attributed to a decrease in median elapsed time for Ontario, which makes up 38.5 per cent of Canada's caseload.
- Median elapsed time is affected by various factors including the number of cases, the complexity of cases and police resources.

GOAL 3 Linked to Core Business 3 – Justice services to Albertans

Provide access to justice services for Albertans in need

As a result of the proclamation of the *Adult Guardianship and Trusteeship Act* in late 2009, 15 seminars were provided to Albertans to provide information about the Act. The Act updates Alberta's laws on substituted decision-making in personal and financial matters for adults who lack capacity to make decisions because of mental disability. The new legislation better addresses the current needs of Albertans by providing more supportive decision making options and safeguards to protect vulnerable adults who are no longer able to make all of their own decisions.

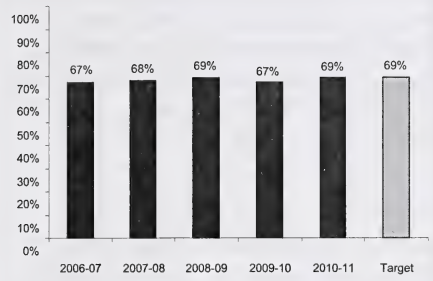
The Office of the Public Trustee has undertaken work with Alberta Health and Wellness, Alberta Seniors and Community Supports, along with Service Canada, to develop a proposal to provide assistance to vulnerable Albertans with limited resources, who are unable to manage their own financial resources and who will not voluntarily participate in any available programs.

Amendments to the *Maintenance Enforcement Act* received Royal Assent on December 2, 2010. The amendments increased the Maintenance Enforcement Program's ability to locate all clients and enforce outstanding funds owed by all clients. Amendments to the *Interjurisdictional Support Orders Act* also received Royal Assent on December 2, 2010. The amendments allow parties residing in different jurisdictions to obtain and vary maintenance orders more quickly and easily. The legislation now clarifies how administrative child support recalculation decisions are enforced. The Child Support Recalculation Program began registering client files in January 2010 when its enabling legislation came into force. This Program is an administrative service that annually recalculates court-ordered child support based on current income tax information.

In 2009, Legal Aid Alberta (LAA) conducted a full review of legal aid to ascertain the legal needs of low-income Albertans and to determine how those legal needs should be met. In 2010-11, LAA implemented the majority of the approved recommendations arising from the Legal Aid review. These included implementing Legal Service Centres throughout Alberta; introducing reduced financial eligibility guidelines; establishing expanded duty counsel in Edmonton, Calgary, Red Deer and Lethbridge; implementing family mediation to help resolve family law disputes; implementing the use of limited scope contracts for civil matters, and restructuring immigration and refugee services. A new five-year tri-party governance agreement among the Law Society, Legal Aid Alberta and Alberta Justice has been negotiated and signed off by the respective parties for the delivery of legal aid services to vulnerable Albertans. Alberta Justice remains the primary funding source for Legal Aid Alberta and significantly increased its annual grant to LAA in 2010-11.

Alberta Justice is responsible for managing the Motor Vehicle Accident Claims (MVAC) program, which protects victims injured by uninsured or unknown drivers by ensuring they have a place to take legal action and receive payment for their personal injuries. Consultations were held with stakeholders and additional input was received from Treasury Board to explore options to improve services to Albertans.

Maintenance Enforcement Program – Regularity of Payment Rate: *the program's compliance rate on cases enrolled by regular monthly payments*



Source: Alberta Justice Administrative Data, the Maintenance Enforcement Program

Notes:

- For methodology related to this performance measure see page 30.

- In 2010-11, the Maintenance Enforcement Program (MEP) achieved its 69 per cent target for regularity of payment rate. This represents a two percentage point increase over the previous year's result.
- MEP relies on a number of enforcement actions when debtors are in default on their maintenance payments. Enforcement actions become more serious as default becomes more serious. These actions include: a writ filed at the Personal Property Registry, Registration against Real Property, Support Deduction Notices, Credit Bureau Reporting, Motor Vehicle Restrictions, Driver's Licence Suspensions, Recreational Hunting and Fishing Licence Restrictions, Federal Licence Denials, Reporting to Professional Organizations, Financial Examinations, Default Hearings, and Asset Seizure.
- Efforts are focused on increasing personal contact between staff and clients. Additional initiatives to increase regularity of payment include: working with the Child Support Recalculation Program and other family justice services to promote access to services, introducing a new registration form for debtors and creditors, targeting default debtors with equity in real property, continuing to work with reciprocating jurisdictions and streamlining collection processes, and reviewing existing service delivery channels to identify potential improvements.

GOAL 4 Linked to Core Business 3 – Justice services to Albertans

Improve efficiency in the justice system through reengineering of justice processes

The Ministry and the Courts continue to enhance efficiency and public access through modernizing, standardizing, and streamlining business processes by implementing appropriate technological solutions. To this end, work continued on the multi-year Justice Innovation and Modernization of Services (JIMS) initiative. Significant progress was made in the area of developing and improving project-related best practices for use across the Ministry. Also, work has commenced to identify and reduce data quality issues in Ministry technology systems.

The Courts Program Board was established through a collaborative process and agreement between the Ministry and the three Alberta Courts. A new vision and terms of reference for the Courts Program Board and for the court-centric portion of JIMS was approved. To ensure that Court Services is well-positioned to implement all phases of the JIMS initiative, staff were surveyed to identify current project management, change management and business analyst competencies and skills. Training opportunities were provided to staff throughout the Ministry to develop project management, change management, and business analyst skills to support JIMS.

The Court Case Management (CCM) Program is a JIMS cornerstone initiative led by the Provincial Court judiciary. The objective of this ongoing program is to develop and implement new and innovative methods to more effectively manage adult criminal cases in Provincial Court. Phase one of the program involved developing more efficient court scheduling capabilities, implementing a Justice of the Peace Counter to allow administrative and non-contested matters to be dealt with outside of the courtroom and introducing Low Complexity Trial Courtrooms to expedite court processes. Phase two of the program will involve leveraging new technology and progressive business processes to improve data quality, reduce redundant data entry, and decrease paper volume. It will also enable Crown Offices, police and defence counsel to securely exchange prosecution packages in digital form and it will eliminate the need for carbonless paper and dot matrix printers to generate subpoenas. Phase two of the Court Case Management project is underway.

In 2010-11, Alberta Justice developed a new tracking tool to measure key performance indicators. This Business Intelligence (BI) Tool assisted the Ministry in monitoring the effectiveness of the processes and systems implemented during the first phase of the Court Case Management (CCM) Program. An operational business intelligence project is now underway. The goal of this project is to increase the understanding of the existing BI reporting tools, validate the accuracy of the existing tools and plan for the future creation of an operational BI report.

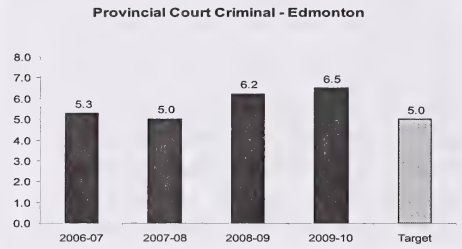
Alberta Justice has played a leading role in federal/provincial/territorial law reform efforts this year. Senior officials from Alberta actively participated in the Criminal Procedure and Justice Efficiencies Working Groups, and played important roles in the consultations and development of Bill C-53 relating to mega-trial reform in the *Criminal Code*. Alberta played a significant role in the development of the new self-defence provisions reflected in Bill C-60. Confusion and inconsistency regarding the interpretation and application of the present self-defence provisions in the *Criminal Code* result in high volumes of appeals and re-trials every year. In addition, Alberta participated in

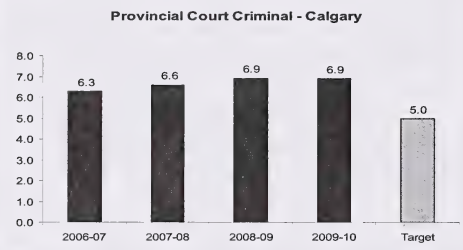
other forums concerned with increasing the efficiency of the criminal justice system including the National Criminal Law Symposiums.

The Justice Policy Advisory Committee (JPAC) was the vehicle for two major consultations, along with an important information sharing session over the past year. At the May 31, 2010 JPAC Ministers meeting, committee members consulted on Alberta's Crime Prevention Framework and the Integrated Justice Services Project. At the September 29, 2010, JPAC Collaboration Forum, a showcase of innovative justice system projects was presented. A number of new working relationships arose pursuant to these presentations, as JPAC members were exposed to best practices they could use in their own projects. Commitments were made between members to follow-up after the meeting. At the January 31, 2011, JPAC Ministers meeting, the committee members were consulted on the proposed extension of the Safe Communities mandate and structure.

Alberta Justice hosted a provincial symposium on justice effectiveness, bringing together members of the judiciary, police services, the defence bar and the federal and provincial Crown from Alberta.

Number of Appearances Per Case: *the number of appearances per case for Provincial Court Criminal*





Source: Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics

Notes:

- 2009-10 results are the most current data available.
- 2006-07 results have been restated by CCJS; therefore, results reported above are different than historical results identified in the 2010-13 Justice Business Plan.
- For methodology related to this performance measure see page 31.

- In 2009-10, the number of appearances required to process a case in Provincial Court Criminal from first to last appearance was 6.9 days in Calgary and 6.5 days in Edmonton. The Calgary Criminal Provincial Court result was consistent with 2008-09, while the Edmonton Criminal Provincial result increased by 0.3 days from 2008-09.
- This was a new performance measure in the 2010-13 business plan. It is designed to determine whether the number of appearances required to dispose criminal cases is being reduced in Calgary and Edmonton as a result of implementing the Court Case Management Project, which began in February 2010. This multi-year, multi-phased project aims to increase access to justice by reducing the number of appearances per case and increasing the number of cases processed.
- A stretch target was set for this measure with the goal of enhancing performance over time through the implementation of the Court Case Management Project. The most current data available is 2009-10, which would not reflect efficiencies resulting from the Court Case Management Project as the project would only have been operational for two months. It is anticipated that 2010-11 results will reflect a reduction in the number of appearances, as the Court Case Management Project will have been operational for a full year.
- Several factors can affect the results of this measure. Serious, complex cases are more likely to require a greater number of appearances. Adjournments to access legal counsel, changes in legal counsel and failures to appear resulting in warrants are some factors which can also result in a greater number of appearances.

GOAL 5 Linked to Core Business 4 – Legal and strategic services to government

Assist government ministries to achieve their objectives through the provision of effective legal and related strategic services

Alberta Justice provides services to assist Government of Alberta ministries in achieving their objectives. These legal and related strategic services are delivered to the government overall and to individual ministries.

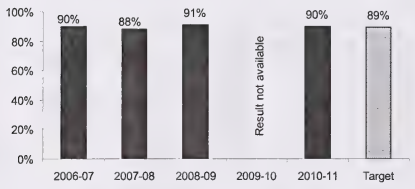
Alberta Justice supports Government of Alberta cross-ministry initiatives and saw the need to develop structure around the provision of legal advice in these initiatives. Alberta Justice developed a proposed approach which reflects coordinated legal advice from Alberta Justice and other ministries to support the Alberta Supports Initiative, the First Nation Consultation Policy on Land Management and Resource Development, the Regulatory Enhancement Project, and other government-wide projects. The coordination of legal advice helps to ensure the various interests of different ministries are considered in the initiative. This creates greater understanding and enhances the overall solutions proposed by the cross-ministry initiatives.

The delivery of legal and related strategic services to the entire government requires a wide scope of knowledge. Alberta Justice realizes the importance of developing and managing knowledge of its staff. This was the second year of the formal learning and development program in the Legal Services Division. In 2010-11, internal processes to support individual learning were implemented and presentations geared at increasing the legal and strategic capacity were delivered to Ministry staff. This year, this strategy broadened its focus from course development to organizational learning, and as such has expanded to include other initiatives related to learning, such as communities of practice. Improved learning and development contribute to a high quality of service delivery in the justice system.

Alberta Justice has enhanced direct value to ministries through ministry-specific education sessions about law and related topics. Evaluation surveys continue to be used across Legal Services to obtain feedback and measure the level of ministry satisfaction with the education sessions provided. Survey results support continuous improvement efforts. They are provided to the presenters and their supervisors to enhance course content and delivery. A new course on effective presentations was developed and presented to Legal Service's staff.

The passage of the *Wills and Succession Act* is a significant milestone in Alberta Justice's Succession Law (Statutes) Reform Project. The project aims to develop updated legal rules to facilitate efficient handling of Albertans' estates. The *Wills and Succession Act* consolidates and modernizes six outdated statutes, making the law more relevant, easier to find, and understandable for Albertans and their advisors. It will come into force in 2012, once education is completed. Further phases of this reform project are underway and relate to the law for administering the property of deceased persons, including new court processes to help administration.

Client Satisfaction with Legal Services: *the percentage of clients from Government of Alberta ministries who are "satisfied" or "very satisfied" with the legal services provided by the Legal Services Division, Civil Law*



Source: Client Satisfaction Survey, Legal Services Division

Notes:

- A biennial survey schedule was adopted in 2009-10 to reduce survey fatigue; therefore, no results are available for 2009-10.
- For methodology related to this performance measure see page 32.

- The results of this survey assist Alberta Justice in assessing success in delivering effective legal services to government.
- In 2010-11, 90 per cent of clients surveyed responded that they were "satisfied' or "very satisfied" with the legal services provided by Legal Services Division, Civil Law. The target of 89 per cent was achieved.
- The results for this measure have been relatively stable over time.
- This result represents a one percentage point decrease from the previous year's result. This decrease may be a result of the hiring restrictions in place across the government of Alberta, as client feedback indicated that the Legal Services Division is under resourced.

Performance Measure Methodology

Public Perception of Safety in the Home and Public Perception of Safety in the Neighbourhood

Source: Alberta Justice 2010-11 Public Opinion Survey and Alberta Solicitor General and Public Security 2010-11 Public Opinion Survey

A public opinion telephone survey has been conducted on an annual basis on behalf of Alberta Justice and Solicitor General and Public Security since 1996. Historically, a joint survey has been conducted by the ministries, but in 2009, the two ministries began conducting public opinion surveys independent of one another. The survey questions used to measure public perception of safety in the home and in the neighbourhood were asked in both ministries' surveys. Alberta Justice used a sample size of 750 (as has been used in the past), while Solicitor General and Public Security used a sample size of 1,200. The two samples were mutually exclusive, i.e., no respondents completed the survey more than once. The sample size for this question, therefore, was 1,950 when the results of both surveys were combined.

Beginning in December 2010, professionally trained interviewers conducted all interviews from a central telephone facility. The surveys were completed on a computer-assisted telephone interviewing system that allows for ongoing tabulation of results. Ten per cent of all interviews were monitored online. To survey a random and representative sample of adult Albertans, quotas were established based on 2006 Census data from Statistics Canada. In each of six geographic regions of the province, the number of interviews in each age-gender segment was proportionate to their 2006 population estimates. The response rate for the two surveys combined was 35 per cent and results are considered reliable within $\pm$2.2 per cent, at the 95 per cent confidence level.

This measure is also included in Measuring Up 2010-11 under Goal 7. Data for this measure for years 2009-10 and 2010-11 were audited by the Auditor General as indicated in the Measuring Up Auditor's Report.

Public Perception of Fairness in the Prosecution Service, Public Understanding of the Justice System, and Public Confidence in the Justice System

Source: Alberta Justice 2010-11 Public Opinion Survey

A public opinion telephone survey is conducted on an annual basis. The 2010-11 survey was conducted in December 2010. Professionally trained interviewers conducted all interviews from a central telephone facility. The survey is completed on a computer-assisted telephone interviewing system that allows for ongoing tabulation of results. The 2010-11 sample size for these survey questions was 750. To survey a random and representative sample of adult Albertans, quotas were established based on Statistics Canada's 2006 Census data. In each of the six geographic regions of the province, the number of interviews in each age-gender segment was proportionate to their 2006 population estimates. Results are reliable within $\pm$3.6 per cent at the 95 per cent confidence level.

Median Elapsed Time from First to Last Appearance

Source: Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics

Median elapsed time from first to last appearance represents the mid-point in elapsed time between first and last appearance for all adult criminal cases processed in Provincial and Superior Court. In Alberta this is the Provincial Court of Alberta and the Court of Queen's Bench.

Performance data for median elapsed time from first to last appearance is obtained from the Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics (CCJS). The Ministry provides annual data from the Justice Online Information Network to CCJS' Adult Criminal Court Survey through an automated interface. At CCJS, the data are edited, verified and signed off with the Ministry. Data from Manitoba, Northwest Territories and Nunavut are not included in the Canadian results. Coverage for Adult Criminal Court Survey data for the ten jurisdictions is estimated at 90 per cent.

The title of this measure as published in the 2010-13 Alberta Justice Business Plan has been changed from "Provincial Court Criminal Median Elapsed Time from First to Last Appearance" to "Median Elapsed Time from First to Last Appearance" to reflect that the reported results include both Provincial Court and Superior Court adult criminal case data. This amended title is consistent with previous Ministry business plans and annual reports.

A methodology change was introduced by CCJS in 2007-08, which delayed the publication of further results until 2009-10. Therefore, results published in Alberta Justice annual reports prior to 2009-10 are not comparable to results published in the 2010-11 Alberta Justice annual report.

Results for 2009-10 are based on the most current CCJS data available.

The target of "122 days or less" was based on the 2006-07 Canadian national median released by CCJS in July 2008. The 2006-07 Canadian national median has since been restated (126 days) due to the methodology change described above.

Results published in the 2009-10 Alberta Justice annual report have been restated to account for cases that were pending at the end of the reference period, had no subsequent activity for a full year and were therefore deemed closed, as per the CCJS published methodology.

Provincial Court Civil Mediation Settlement Rate

Source: Alberta Justice Administrative Data, Court Services Division

The settlement rate is a percentage of all scheduled cases resolved. It is calculated as the number of civil actions settled through mediation in the civil claims program, divided by the total number of civil claims settled or not settled through such mediation. This is a blended rate for Calgary, Edmonton, Grande Prairie, Lethbridge, Medicine Hat, Red Deer, Wetaskiwin, and Camrose. Every month, mediation coordinators count the successful and unsuccessful mediations and enter them into a spreadsheet to arrive at a total number of claims and a settlement rate. Spreadsheets are sent to staff in the Strategic Initiatives Branch (Court Services Division, Alberta Justice), who then enter the successful and unsuccessful mediations into a Microsoft Access database.

Family Justice Service Seminars

Source: Alberta Justice Administrative Data, Court Services Division

To gather feedback on Parenting After Separation Sessions, participants were asked to fill out a questionnaire upon completion of education sessions held in June 2010, September 2010 and January 2011. Participation in the survey is optional. In 2010-11, there were 2,414 session attendees and 2,016 surveys completed, for a response rate of 83.5 per cent.

The percentage of Parenting After Separation participants who rated the coverage of seminar topics as "good" or "very good" is calculated for each session topic. An average score for all session topics is then calculated for the performance measure. The seminar topics covered in the Parenting After Separation Sessions include: the stages of separation, the alienated child, relationship triangle, effects of separation on your children, communication skills, child support, custody/access, parenting plans, and mediation.

Law Information Centres

Source: LInC Client Satisfaction Survey, Court Services Division

This is the percentage of Law Information Centre (LInC) Exit Survey respondents who "strongly agree" or "somewhat agree" that LInC helped them understand the process better. The LInC Client Survey was developed and implemented in March 2009. The survey asks clients about their level of satisfaction with the services they received from LInC.

LInC clients who received 15 minutes or more of service in person or over the phone were encouraged to complete the survey following the end of their session. Clients whose e-mails required 15 minutes or more to research and write a response were invited to participate in the survey. Clients were provided with access to the online survey at the centres (via public computers) or were provided a URL to access the survey online.

The survey was conducted between September and December 2010. During this time the survey was available at all of the centres (Calgary, Edmonton, Grande Prairie, and Red Deer) and there were 4,389 LInC clients who received more than 15 minutes of service. The exit survey was accessed by 970 individuals, and fully completed by 932 respondents; a response rate of 21.2 per cent.

Client Satisfaction with the Services of the Office of the Public Trustee

Source: Client Satisfaction Survey, Office of the Public Trustee

Client satisfaction with the services of the Office of the Public Trustee (OPT) is assessed using internally conducted client satisfaction surveys. Throughout the year, survey forms are sent to beneficiaries and minors after completion of administration and following payments of the beneficial interest distribution. Surveys are also sent to business partners, primary contact persons, parents and guardians of minors, and guardians of represented adults throughout the year. During 2010-11, 2,834 surveys were sent to beneficiaries of estates, minors on achieving majority, parents and guardians of minors, primary contact persons, guardians of represented adults and business

partners. Seven hundred and five surveys were filled out and returned to OPT, indicating a response rate of 24.9 per cent.

The measure is calculated as a composite of responses to various questions relating to satisfaction with responsiveness and quality of services provided. It is used to improve services to clients and to establish policies and procedures where deficiencies are noted.

Maintenance Enforcement Program – Regularity of Payment Rate

Source: Alberta Justice Administrative Data, Maintenance Enforcement Ptrogram

Terms of court orders are entered into the automated Maintenance Information Management System (MIMS). Support payments that are due each month are then calculated by MIMS. Payments received are also entered into the system and calculated monthly by MIMS. This measure shows the amount of regular maintenance collected as a percentage of the regular maintenance due. The result is calculated on a monthly basis by dividing the amount of regular maintenance collected in a month by the amount of regular maintenance due in that month. The result is presented monthly to program management as an administrative tool and aggregated into an annual figure to provide the result for the year. The annual result is an average of the monthly results.

Client Satisfaction with Legal Aid Services

Source: Client Satisfaction Survey, Legal Aid Alberta

To gather opinions on legal aid services, Legal Aid Alberta (LAA) conducted a telephone survey with legal aid applicants. The survey company, Prairie Research Associates (PRA), only contacted those applicants who consented to participating in the research. During the legal aid application process, legal aid officers ask applicants if they are interested in participating in research on legal aid services.

In consultation with staff at LAA, PRA drafted a survey questionnaire. While most survey questions remained identical to the 2005 to 2010 surveys, there were some changes made to reflect LAA's new approach to service delivery and results from 2011 are compared to results from the 2005-2010 surveys. In 2010, LAA opened 11 Legal Services Centres (LSCs), which assess clients' legal needs and determine what types of legal services are best suited to assisting the clients. LAA now seeks to assist all applicants according to their eligibility and legal needs by either offering full representation, brief services from LSC staff lawyers, legal information or advice from other LAA services, or a referral to another organization that can assist the applicant. The survey questionnaire sought to obtain information on whether the applicant received full or brief services so that later questions could be directed to respondents appropriately.

By April 10, 2011, PRA had completed the telephone survey with 275 legal aid applicants. Of these applicants, 202 received a legal aid certificate for full legal representation from a lawyer, 37 received brief legal services from a lawyer by phone or in person, 25 did not receive any assistance, and 11 could not report on the status of their legal aid application, that is they did not know whether a decision had been made on their application.

For applicants under the age of 16, a parent or guardian was asked to participate in the survey on their behalf.

The call record for the survey shows that about 34 per cent of the sample included numbers that either were not in service or at which respondents could no longer be reached. The response rate for the survey was 36 per cent.

Number of Appearances per Case

Source: Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics

The number of appearances per case is the count of each court appearance from all charges in a case. If more than one charge has a court appearance on the same day, only one case appearance is counted.

Performance data for number of appearances is obtained from the Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics (CCJS). The Ministry provides annual data from the Justice Online Information Network to CCJS' Adult Criminal Court Survey through an automated interface. At CCJS, the data are edited, verified and signed off with the Ministry.

A methodology change was introduced by CCJS in 2007-08, which resulted in a change to the definition of a case. The 2006-07 results for this measure, as reported in the 2010-13 Alberta Justice Business Plan, have been restated by CCJS to reflect the new case definition. The new case definition attempts to closely reflect court processing. It combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, date of sentencing) into a single case.

Results for 2009-10 are based on the most current CCJS data available. Results for 2006-07 have been restated by CCJS; therefore, results reported in this Annual Report are different than historical results identified in the 2010-13 Justice Business Plan.

Time to Disposition

Source: Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics

Time to Disposition measures the elapsed time of an adult criminal case in Provincial Court in Calgary and Edmonton, from first appearance to disposition and reports the median number of days (median is mid-point – 50 per cent of cases will be above and 50 per cent of cases will be below this point). All concluded cases (including concluded warrants) where the disposition dates fall within the reporting period are used in this calculation.

Performance data for time to disposition is obtained from the Integrated Criminal Court Survey/Adult Criminal Court Survey, Canadian Centre for Justice Statistics (CCJS). The Ministry provides annual data from the Justice Online Information Network to CCJS' Adult Criminal Court Survey through an automated interface. At CCJS, the data are edited, verified and signed off with the Ministry.

A methodology change was introduced by CCJS in 2007-08, which resulted in a change to the definition of a case. The 2006-07 results for this measure, as reported in the 2010-13 Alberta Justice Business Plan, have been restated by CCJS to reflect the new case definition. The new case definition attempts to closely reflect court processing. It combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, date of sentencing) into a single case.

Results for 2009-10 are based on the most current CCJS data available. Results for 2006-07 have been restated by CCJS; therefore, results reported in this Annual Report are different than historical results identified in the 2010-13 Justice Business Plan.

Charge Clearance Rate

Source: Alberta Justice Administrative Data, Court Services Division and Criminal Justice Division

Charge Clearance Rate is described as the number of charges concluded as a percentage of number of charges commenced. Charge Clearance Rate measures whether the court is keeping up with demand. If charges are not disposed of in a timely manner, a backlog of charges awaiting disposition will grow. Courts should aspire to dispose of, or clear, at least as many charges as have been commenced by having a clearance rate of 100 per cent. Charges disposed of in a year may include both charges commenced in that year and charges on backlog from previous years.

Performance data for charge clearance rate is obtained from the Alberta Justice Business Intelligence managed reporting tool.

Key criminal court operational data elements (such as the date the charge was laid, court location, and other specific charge details) are extracted monthly from the source system (Justice Online Information Network (JOIN) Integrated Database Management System Mainframe system) via an electronic process and loaded into the JOIN Management Information System Database on a monthly basis. JOIN Management Information System data is then extracted and transformed into a simplified database structure for reporting and summarization using the Alberta Justice Business Intelligence (BI) tool. The BI tool condenses the relevant data into a one-page report of the clearance rates for reporting.

Results for 2009-10 are reported for the full fiscal year. The results published in the 2010-13 Justice Business Plan represented a portion of the year only (April – September 2009).

Client Satisfaction with Legal Services and Client Satisfaction with Assistance in Meeting Corporate Goals

Source: Client Satisfaction Survey, Legal Services Division

Client satisfaction with legal services is measured by an internally administered client survey. As of 2009-10, the survey has been conducted every second year to reduce survey fatigue. The last survey was conducted in 2008-09.

In 2010-11, a random sample of 1,305 clients was chosen from the total population of 2,704. Out of the 1,305 surveys sent out, 514 responses were received, for a response rate of 39.4 per cent.

Based on this response, overall survey results are precise within ±3.9 per cent at the 95 per cent confidence level and ±5.1 per cent at the 99 per cent confidence level. Seventeen questions in the survey asked respondents to rate their level of satisfaction with services received. The satisfaction scale provided for these questions was comprised of five levels of satisfaction with one representing "very dissatisfied" and five representing "very satisfied". The 2010-11 survey was conducted online, the same way the 2007-08 and 2008-09 surveys were conducted.

Client Satisfaction with Legal Services was reviewed by the Auditor General.

Legal Education Sessions

Source: Legal Education Session Participant Survey, Legal Services Division

This is the percentage of legal education session participants who are "satisfied" or "very satisfied" with the legal education sessions provided to them. Alberta Justice Legal Services Division provides legal education sessions to Government of Alberta ministries throughout the year on a variety of topics. Sessions are initiated by Alberta Justice or at the request of a client ministry. A legal education session is defined as a presentation conducted by one or more Alberta Justice lawyers to a group of clients.

Client satisfaction with legal education sessions is determined by an internally conducted survey. A legal education session is defined as a presentation conducted by one or more Alberta Justice lawyers to a group of clients. The number of clients in attendance can range from as few as 3-4 or as many as 100+. Participants are invited to the sessions either directly from Legal Services staff or through referral from client ministry contacts. In 2010-11 a total of nine sessions were recorded and surveyed on using the GOA's Opinio software. A total of 99 survey responses were received from the 191 attendees for a response rate of 52 per cent.

The majority of the sessions in 2010-11 were tracked by having attendees complete a sign-in sheet, which was later used for sending a link to an online survey. In order to maintain a consistent methodology some sessions were not included in the 2010-11 results. Reasons for this were:

- For some of the smaller sessions, the presenter distributed a paper survey at the conclusion of the session.
- Due to the size of some venues, distributing surveys during the session was impractical and in some circumstances the client did not want to disclose the names of the participants.
- For some of the client initiated sessions they preferred to use their own satisfaction surveys at the conclusion of the session instead of the Alberta Justice survey. The results of these surveys were passed on to the Alberta Justice presenters.

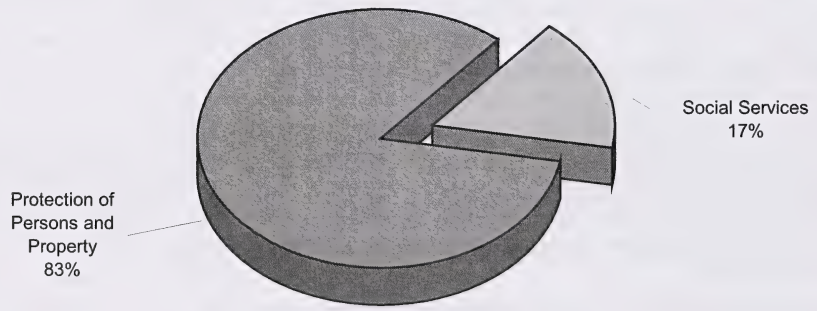
Ministry Expense by Function
(in thousands)

	2010-11 Budget	2010-11 Actual	2009-10 Actual
Protection of Persons and Property	398,146	398,474	367,904
Social Services	80,492	80,167	82,145
Total Expense by Function	**$ 478,638**	**$ 478,641**	**$ 450,049**

Protection of Persons and Property
Includes expenses for services provided to ensure the security of persons and property through the courts, regulatory measures and other protection of persons and property. This function includes Court Services, Legal Services, Public Trustee, Medical Examiner and Ministry Support Services Programs.

Social Services
Covers actions taken by the government either alone or in cooperation with Albertans, to offset or to forestall situations when the well-being of individuals or families is threatened by circumstances beyond their control. This includes the provision of legal aid and motor vehicle accident claims.

2010-11 Actual Expense by Function ($478.6 million)



Justice and Attorney General's overall expenses were $478.6 million, the same as the approved budget. A supplementary estimate of $11.7 million was approved for the Ministry in the 2010-11 third quarter, which is not reflected in the approved budget. These funds were used to provide additional grants for Safe Communities.

Cost savings achieved by the Ministry due to vacancies and reduced discretionary spending, coupled with under-spending for contracted legal services and the Justice Innovation and Modernization of Services (JIMS) initiative, allowed the Ministry to provide an additional $5 million for the grant to support Legal Aid Alberta.

Spending increased from the previous year by $28.6 million due to higher costs for manpower as a result of negotiated salary increases for staff and a higher compliment of staffing. In addition, spending on grants increased for Safe Communities ($8.7 million) and Legal Aid Alberta ($5 million).

Financial Information

Ministry of Justice

Financial Statements

Year Ended March 31, 2011

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AUDITOR GENERAL *Alberta*

Independent Auditor's Report

To the Members of the Legislative Assembly

Report on the Financial Statements

I have audited the accompanying financial statements of the Ministry of Justice which comprise the statement of financial position as at March 31, 2011, and the statements of operations and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Ministry of Justice as at March 31, 2011, and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Merwan N. Saher, CA

Auditor General

June 1, 2011

Edmonton, Alberta

Ministry of Justice
Statement of Operations
Year ended March 31, 2011

	2011		2010
	Budget	Actual	Actual
	(Schedule 4)	*(in thousands)*	
Revenues (Schedule 1)			
Transfers from the Government of Canada	$ 13,179	$ 13,628	$ 13,430
Investment Income	600	246	240
Premiums, Fees and Licences	40,916	40,582	40,769
Other Revenue	116,772	109,238	111,478
	171,467	163,694	165,917
Expenses – Directly Incurred (Note 2(b) and Schedule 8)			
Voted (Schedules 3 and 5)			
Ministry Support Services	21,989	18,194	16,976
Court Services	182,282	186,993	175,489
Legal Services	166,115	168,071	151,476
Support for Legal Aid	53,810	58,810	53,810
Public Trustee	14,761	14,867	14,536
Medical Examiner	12,150	10,109	9,143
	451,107	457,044	421,430
Statutory (Schedules 3 and 5)			
Motor Vehicle Accident Claims	26,682	22,075	23,532
Valuation Adjustments			
Provision for (Recovery of) Doubtful Accounts	200	318	(1,141)
Provision for Vacation Pay	649	72	1,854
(Decrease) Increase in Motor Vehicle Accident Claims Liabilities	-	(868)	4,374
	27,531	21,597	28,619
	478,638	478,641	450,049
Net Operating Results	$ (307,171)	$ (314,947)	$ (284,132)

The accompanying notes and schedules are part of these financial statements.

Ministry of Justice
Statement of Financial Position
As at March 31, 2011

	2011	2010
	(in thousands)	
Assets		
Cash (Note 3)	$ 5,653	$ 8,689
Accounts Receivable (Note 4)	95,233	92,344
Advances	27	25
Tangible Capital Assets (Note 5)	16,849	19,915
	$ 117,762	$ 120,973
Liabilities		
Accounts Payable and Accrued Liabilities	$ 135,320	$ 123,041
Unearned Revenue	2,005	1,469
	137,325	124,510
Net (Liabilities) Assets		
Net (Liabilities) Assets at Beginning of Year	(3,537)	6,349
Net Operating Results	(314,947)	(284,132)
Net Financing Provided from General Revenues	298,921	274,246
Net Liabilities at End of Year	(19,563)	(3,537)
	$ 117,762	$ 120,973

Contractual obligations and contingent liabilities (Notes 6 and 7)

The accompanying notes and schedules are part of these financial statements.

Ministry of Justice
Statement of Cash Flows
Year ended March 31, 2011

	2011	2010
	(in thousands)	
Operating Transactions		
Net Operating Results	$ (314,947)	$ (284,132)
Non-cash items included in Net Operating Results		
Amortization	8,138	8,079
Valuation Adjustments	(478)	5,087
	(307,287)	(270,966)
Increase in Accounts Receivable	(3,207)	(2,528)
(Increase) Decrease in Advances	(2)	2
Increase in Accounts Payable and Accrued Liabilities	13,075	2,207
Increase in Unearned Revenue	536	86
Cash Applied to Operating Transactions	(296,885)	(271,199)
Capital Transactions		
Acquisition of Tangible Capital Assets	(1,517)	(1,954)
Transfer of Tangible Capital Assets from Other Ministry	(3,555)	-
Cash Applied to Capital Transactions	(5,072)	(1,954)
Financing Transactions		
Net Financing Provided from General Revenues	298,921	274,246
Cash Provided by Financing Transactions	298,921	274,246
(Decrease) Increase in Cash	(3,036)	1,093
Cash at Beginning of Year	8,689	7,596
Cash at End of Year	$ 5,653	$ 8,689

The accompanying notes and schedules are part of these financial statements.

Note 1 Authority and Purpose

The Ministry of Justice operates under the authority of the *Government Organization Act*, Chapter G-10, Revised Statutes of Alberta 2000. The Department of Justice is the sole entity for which the Minister of Justice and Attorney General has been designated as responsible for various acts by the *Government Organization Act* and its regulations.

The Ministry's purpose is to serve Albertans by promoting safe communities, by ensuring access to the courts and other methods of dispute resolution, by providing legal and related strategic services to the Government of Alberta, and by communicating with Albertans about the administration of justice.

Note 2 Summary of Significant Accounting Policies and Reporting Practices

These financial statements are prepared in accordance with Canadian public sector accounting standards.

(a) Reporting Entity

The reporting entity is the Ministry of Justice, which consists of the Department of Justice for which the Minister of Justice and Attorney General is accountable. These financial statements include the activities of the Motor Vehicle Accident Claims program (a statutory appropriation). The Ministry Annual Report provides a more comprehensive accounting of the financial position and results of the Ministry's operations for which the Minister is accountable.

All departments of the Government of Alberta operate within the General Revenue Fund (the Fund). The Fund is administered by the Minister of Finance and Enterprise. All cash receipts of departments are deposited into the Fund and all cash disbursements made by departments are paid from the Fund. Net Financing Provided from General Revenues is the difference between all cash receipts and all cash disbursements made.

(b) Basis of Financial Reporting

Revenues
All revenues are reported on the accrual basis of accounting except for payments on Motor Vehicle Accident Claims judgment debts and Maintenance Enforcement fees, penalties and subrogated revenues, which are recorded when received. Revenues for Motor Vehicle Accident Claims fees are reported when the service has been rendered. Cash received for which goods or services have not been provided by year end is recorded as unearned revenue.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(b) Basis of Financial Reporting (Cont'd)

Transfers from the Government of Canada

Transfers from the Government of Canada are recognized as revenue when authorized by federal legislation or federal/provincial agreements, eligibility criteria, if any, are met and a reasonable estimate of the amounts can be made.

Credit or Recovery

Credit or Recovery initiatives provide a basis for authorizing spending. Credits or Recoveries are shown in the details of the Government Estimates for a supply vote. If budgeted revenues are not fully realized, spending is reduced by an equivalent amount. If actual credit or recovery amounts exceed budget, the Ministry may, with the approval of the Treasury Board Committee, use the excess to fund additional expenses of the program. Schedule 2 discloses information on the Ministry's credit or recovery initiatives.

Expenses

Directly Incurred

Directly incurred expenses are those costs the Ministry has primary responsibility and accountability for, as reflected in the Government's budget documents.

In addition to program operating expenses such as salaries, supplies, etc., directly incurred expenses also include:

- amortization of tangible capital assets.
- pension costs, which are the cost of employer contributions for current service of employees during the year.
- valuation adjustments which include changes in the valuation allowances used to reflect financial assets at their net recoverable or other appropriate value. Valuation adjustments also represent the change in management's estimate of future payments arising from obligations relating to vacation pay, guarantees and indemnities.

Grants are recognized as expenses when authorized, eligibility criteria and conditions, if any, are met and a reasonable estimate of the amounts can be made.

Incurred by Others

Services contributed by other entities in support of the Ministry's operations are not recognized and are disclosed in Schedule 7 and allocated to programs in Schedule 8.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(b) Basis of Financial Reporting (Cont'd)

Assets
Financial assets are assets that could be used to discharge existing liabilities or finance future operations and are not for consumption in the normal course of operations. Financial assets of the Ministry are limited to financial claims, such as advances to and receivables from other organizations, employees and other individuals.

Assets acquired by right are not included. Tangible capital assets of the Ministry are recorded at historical cost and amortized on a straight-line basis over the estimated useful lives of the assets. The threshold for capitalizing new systems development is $250,000 and the threshold for major systems enhancements is $100,000. The threshold for all other tangible capital assets is $5,000.

Liabilities
Liabilities are recorded to the extent that they represent obligations as a result of events and transactions occurring prior to the end of the fiscal year. The settlement of liabilities will result in sacrifice of economic benefits in the future.

Net Assets/Net Liabilities
Net assets/net liabilities represent the difference between the carrying value of assets held by the Ministry and its liabilities.

Measurement Uncertainty
(in thousands)

Measurement uncertainty exists when there is a variance between the recognized or disclosed amount and another reasonably possible amount.

Included in accounts receivable, recorded as $95,233 in these financial statements, are fines of $56,381 (2010 - $56,215) that are subject to measurement uncertainty. Accounts receivable excludes certain outstanding federal statute and provincial statute fines that are expected to be satisfied by means other than cash payment. The other means include participation in the fine option program or time served in a correctional institution at the option of the person owing the fine. Outstanding fines expected to be satisfied by other means of $8,380 (2010 - $8,213) is based on the actual percentage satisfied in this manner from April 1, 2010 to March 31, 2011 and have been deducted from total outstanding fines. Changes in the proportion of fines satisfied by other means may have a material effect on future operating results.

The provision for doubtful accounts, recorded as $9,467 (2010 - $9,149) in these financial statements, is based on the actual percentage of fines written off from April 1, 2010 to March 31, 2011 and the assumption that the total receivable for Abandoned and Seized Vehicles as of March 31, 2011 will not be collected.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(b) Basis of Financial Reporting (Cont'd)

Measurement Uncertainty (Cont'd)
Accounts payable and accrued liabilities, recorded as $135,320 in these financial statements, is subject to measurement uncertainty. Accrued liabilities include an estimate of $58,981 (2010 - $59,820) for unsettled claims under the Motor Vehicle Accident Claims program based on a calculated settlement value per claim. Changes to the settlement value may have a material effect on future operating results (Note 8).

Valuation of Financial Assets and Liabilities
Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of cash, accounts receivable, advances, and accounts payable and accrued liabilities are estimated to approximate their carrying values because of the short term nature of these instruments.

Note 3 Cash

Cash consists of demand deposits in the Consolidated Cash Investment Trust Fund (CCITF). The CCITF is managed by the Ministry of Finance and Enterprise with the objective of providing competitive interest income to depositors while maintaining appropriate security and liquidity of depositors' capital. The portfolio is comprised of high quality short-term and mid-term fixed-income securities with a maximum term-to-maturity of three years. As at March 31, 2011, securities held by the CCITF have a time-weighted return of 1.05% per annum (2010 – 0.95% per annum).

Note 4 Accounts Receivable

(in thousands)

	2011			2010
	Gross Amount	Allowance for Doubtful Accounts	Net Realizable Value	Net Realizable Value
Government of Canada	$ 7,694	$ -	$ 7,694	$ 4,872
Fines - Provincial	21,978	1,773	20,205	20,480
Fines - Federal	17,124	1,781	15,343	15,035
Ticket Processing	17,279	805	16,474	16,495
Fines - Late Payment Penalty	20,342	1,654	18,688	18,319
Other	20,283	3,454	16,829	17,143
	$ 104,700	$ 9,467	$ 95,233	$ 92,344

Accounts receivable are unsecured and non-interest bearing.

Note 5 Tangible Capital Assets

(in thousands)

	Equipment[1]	Computer Hardware and Software	2011 Total	2010 Total
Estimated Useful Life	10 years	5 – 10 years		
Historical Cost				
Beginning of year	$ 9,496	$ 48,050	$ 57,546	$ 55,693
Additions	181	1,336	1,517	1,954
Transfer-in	-	3,555	3,555	-
Disposals	(83)	(10)	(93)	(101)
	$ 9,594	$ 52,931	$ 62,525	$ 57,546
Accumulated Amortization				
Beginning of year	$ 5,647	$ 31,984	$ 37,631	$ 29,653
Amortization expense	732	7,406	8,138	8,079
Effect of disposals	(83)	(10)	(93)	(101)
	$ 6,296	$ 39,380	$ 45,676	$ 37,631
Net Book Value at March 31, 2011	$ 3,298	$ 13,551	$ 16,849	
Net Book Value at March 31, 2010	$ 3,849	$ 16,066		$ 19,915

[1] Equipment includes office equipment and furniture, and other equipment.

Note 6 Contractual Obligations

(in thousands)

Contractual Obligations are obligations of the Ministry to others that will become liabilities in the future when the terms of those contracts or agreements are met.

	2011	2010
Obligations under operating leases, contracts and programs	$ 35,971	$ 41,107

Estimated payment requirements for each of the next five years and thereafter are as follows:

Obligations Under Operating Leases, Contracts and Programs	Total
2011-12	23,091
2012-13	12,439
2013-14	346
2014-15	76
Thereafter	19
	$ 35,971

Note 7 Contingent Liabilities

(in thousands)

At March 31, 2011, the Ministry is a defendant in twenty five legal claims (2010 – twenty seven legal claims). Seventeen of these claims have specified amounts totaling $943,524 and the remaining eight have no specified amount (2010 – twenty one claims with a specified amount of $968,256 and six with no specified amount). Included in the total legal claims are eight claims totaling $918,697 (2010 - seven claims totaling $919,507) in which the Ministry has been jointly named with other entities. Thirteen claims totaling $927,019 (2010 – seventeen claims totaling $959,263) are covered by the Alberta Risk Management Fund.

The resulting loss, if any, from these claims cannot be determined.

Based on the *Public Trustee Act*, the amount outstanding on a client's guaranteed account as administered by the Office of the Public Trustee (OPT) is a charge against the Common Fund Assets of the OPT and is unconditionally guaranteed by the Crown. As at March 31, 2011, based on the financial statements of OPT, the outstanding balance of the Client Guaranteed Accounts is $390,192 (2010 - $388,368).

Within the provision of the *Public Trustee Act*, the Office of the Public Trustee remits unclaimed estate monies, which is reported as general revenue of the Ministry. If entitled beneficiaries are subsequently located, previously unclaimed estate monies are distributed to the beneficiaries.

Note 8 Motor Vehicle Accident Claims Program

(in thousands)

Personal Injury Settlements

The Motor Vehicle Accident Claims Program is a publicly administered program that pays for judgments arising from motor vehicle accidents involving uninsured or unidentified vehicles in Alberta. The program operates under the authority of the *Motor Vehicle Accident Claims Act*. At March 31, 2011, there were one thousand four hundred and seventy three (2010 - one thousand five hundred and fifty two) unsettled motor vehicle accident claims under this program amounting to $169,493 (2010 - $177,182). Of the unsettled claims, it was estimated that approximately $58,981 (2010 - $59,820) may arise from court ordered judgments and has been recorded as a liability.

The *Motor Vehicle Accident Claims Act* states that in order for claimants involved in motor vehicle accidents with uninsured or unidentified vehicles to be entitled to compensation, the Minister of Justice must receive a court judgment. In accordance with the Act, liabilities for personal injury claims are accrued when a court ordered judgment is received. Liabilities for motor vehicle accident claims amounting to $774 at March 31, 2011 (2010 - $612) are included in the total claim expenditures of $22,075 (2010 - $24,057), which includes tangible capital asset purchases of $0 (2010 - $525) acquired to support the operations of the Motor Vehicle Accident Claims Program.

Note 8 Motor Vehicle Accident Claims Program (Cont'd)

Supplementary Medical and Rehabilitation Expenses

The estimated liability for supplementary medical and rehabilitation expenses on approved applications filed up to March 31, 2011, is $4,452 (2010 - $4,481) and has been recorded as a liability. As at March 31, 2011, the maximum amount that may be payable to or on behalf of entitled applicants pursuant to the limits set in Section 17 of the *Motor Vehicle Accident Claims Act* was approximately $9,718 (2010 - $10,116).

Note 9 Trust Funds Under Administration

(in thousands)

The Ministry administers trust funds that are regulated funds consisting of public money over which the Legislature has no power of appropriation. Because the Province has no equity in the funds and administers them for the purpose of various trusts, they are not included in the Ministry's financial statements.

As at March 31, 2011 trust funds under administration were as follows:

	2011	2010 (Restated)
Public Trustee, Estates and Trusts[1]	$ 529,564	$ 531,915
Various Court Offices and Fines Distribution Trust[2]	121,200	99,384
Maintenance Enforcement Trust[3]	9,025	8,111
Solicitors Trust[4]	2,635	32,157
	$ 662,424	$ 671,567

(1) The Office of the Public Trustee administers the estates of dependent adults, decedents and minors. Trust fund disbursements exceeded trust fund receipts and income adjustments in 2011 by $2,351 (2010 restated – trust fund receipts exceeded trust fund disbursements by $7,483). The major sources of receipts and income include pensions and similar receipts, investment income, and acquisition and sale of client estates. Significant disbursements include beneficiary distributions, client care and maintenance payments, release of client assets, and fees and taxes paid on behalf of clients. The Office of the Public Trustee administers other estate assets consisting of client owned securities and investments, real estate holdings, accounts receivable, and personal property and other assets totaling $97,439 as at March 31, 2011 (2010 - $102,833). These assets are valued at fair value at the date the office obtains custody or nominal value when fair value is not readily determinable. Client liabilities as at March 31, 2011 in the amount of $27,533 (2010 - $25,061) are comprised of accounts, mortgages and notes payable, and estate administration fees payable to the Public Trustee. These liabilities are recorded at nominal value where actual value is not readily determinable.

(2) The various court offices receive and disburse payments for fines, bail and other payments involving civil litigants. Trust fund receipts exceeded trust fund disbursements in 2011 by $21,816 (2010 - trust fund disbursements exceeded trust fund receipts by $1,364).

Note 9 Trust Funds Under Administration (Cont'd)

(3) The Maintenance Enforcement Program receives and disburses court ordered maintenance and child support. Trust fund receipts exceeded trust fund disbursements in 2011 by $914 (2010 - trust fund disbursements exceeded trust fund receipts by $1,022).

(4) The Solicitors Trust is comprised of civil law funds held in trust and monies collected under the *Victims Restitution and Compensation Payment Act.* Total funds held in trust at March 31, 2011 included $193 (2010 - $31,641) of civil law funds and $2,442 (2010 - $516) of *Victims Restitution and Compensation Payment Act* funds. Trust fund disbursements exceeded trust fund receipts in 2011 by $29,522 (2010 – trust fund receipts exceeded trust fund disbursements by $31,963).

Note 10 Payments Under Agreement

(in thousands)

The Ministry has entered into agreements to deliver programs and services that are fully funded by the Government of Northwest Territories (GNWT), the Government of Nunavut (GN), and the Government of Canada (GC). Costs under these agreements are incurred by the Ministry under authority in Section 25 of the *Financial Administration Act*. Accounts receivable includes $20 (2010 - $13) from the GNWT, $2 (2010 - $0) from the GN and $56 (2010 - $68) from the GC relating to payments under agreement.

The agreement with the GNWT and the GN are for services provided by the Medical Examiner's Office. Services include examination of remains, medico-legal autopsy, toxicology analysis, and expert testimony in court or at a coroner's inquest.

The agreement with the GC is for enhanced French language training in order to prepare Alberta Provincial Court judges to sit on the Itinerant Francophone Provincial Court Bench.

Amounts paid under agreements with program sponsors are as follows:

	2011	2010
Medical Examiner Services – GNWT	$ 20	$ 13
Medical Examiner Services – GN	2	-
Enhanced French Language Training – GC	56	68
	$ 78	$ 81

Note 11 Benefit Plans
(in thousands)

The Ministry participates in the multi-employer pension plans: Management Employees Pension Plan and Public Service Pension Plan and Supplementary Retirement Plan for Public Service Managers. The expense for these pension plans is equivalent to the annual contributions of $27,014 for the year ended March 31, 2011 (2010 - $24,154).

At December 31, 2010, the Management Employees Pension Plan reported deficiency of $397,087 (2009 - deficiency $483,199) and the Public Service Pension Plan reported a deficiency of $2,067,151 (2009 - deficiency $1,729,196). At December 31, 2010, the Supplementary Retirement Plan for Public Service Managers had a deficiency of $39,559 (2009 - deficiency $39,516).

The Ministry participates in the Provincial Judges and Masters in Chambers Pension Plan. The expenses for this pension plan are $10,124 for the year ended March 31, 2011 (2010 - $9,371).

The Ministry also participates in two multi-employer Long Term Disability Income Continuance Plans. At March 31, 2011, the Bargaining Unit Plan reported an actuarial deficiency of $4,141 (2010 - deficiency $8,335) and the Management, Opted Out and Excluded Plan an actuarial surplus of $7,020 (2010 - surplus $7,431). The expense for these two plans is limited to employer's annual contributions for the year.

Note 12 Comparative Figures

Certain 2010 figures have been reclassified to conform to the 2011 presentation.

Note 13 Approval of Financial Statements

The financial statements were approved by the Senior Financial Officer and the Deputy Minister and Deputy Attorney General.

Ministry of Justice
Schedule to Financial Statements
Revenues
Year ended March 31, 2011

Schedule 1

	2011 Budget	2011 Actual	2010 Actual
		(in thousands)	
Transfers from the Government of Canada			
Legal Aid	$ 10,808	$ 11,047	$ 11,010
Other	2,371	2,581	2,420
	13,179	13,628	13,430
Investment Income - Bank Interest	600	246	240
Premiums, Fees and Licences			
Court Fees	14,060	15,770	16,077
Motor Vehicle Accident Claims Fee	21,350	19,651	19,244
Public Trustee Fees	5,000	4,562	4,874
Other	506	599	574
	40,916	40,582	40,769
Other Revenue			
Fines	69,412	63,706	66,390
Maintenance Enforcement Program	15,125	14,782	13,552
Fines – Late Payment Penalty	17,000	18,585	18,285
Motor Vehicle Accident Recoveries	8,300	7,113	8,014
Miscellaneous	6,935	5,052	5,237
	116,772	109,238	111,478
Total Revenues	$ 171,467	$ 163,694	$ 165,917

Ministry of Justice
Schedule to Financial Statements
Credit or Recovery
Year ended March 31, 2011

Schedule 2

	2011		
	Authorized	Actual[1]	Excess / (Shortfall)
		(in thousands)	
Ticket Processing[2]	$ 28,412	$ 27,863	$ (549)
Provincial Civil Claims[3]	900	1,241	341
Maintenance Enforcement[4]	6,000	5,273	(727)
	$ 35,312	$ 34,377	$ (935) [5]

(1) Revenues from credit or recovery initiatives are included in the Ministry's revenues in the Statement of Operations and Schedule 1.

(2) Ticket Processing revenues represent the Province's share of ticket revenue designated towards all expenditures in Court Services, Criminal Justice and Corporate Services incurred in the processing and handling of violation tickets.

(3) Provincial Civil Claims revenues represent amounts received from the public for filing civil claims in excess of seven thousand five hundred dollars in Provincial Court. These revenues are dedicated towards the costs of processing these claims.

(4) Maintenance Enforcement revenues represent deterrent penalties and service fees to promote timely payment of maintenance to improve and expand services available for clients.

(5) Shortfall is deducted from current year's authorized budget, as disclosed in Schedules 4 and 5.

Ministry of Justice Schedule 3
Schedule to Financial Statements
Expenses – Directly Incurred Detailed by Object
Year ended March 31, 2011

	2011		2010
	Budget	Actual	Actual
		(in thousands)	
Voted			
Salaries, Wages and Employee Benefits	$ 299,603	$ 302,510	$ 283,962
Supplies and Services	75,286	60,508	57,089
Grants	68,525	85,886	72,227
Financial Transactions and Other	378	436	507
Amortization of Tangible Capital Assets	7,315	7,704	7,645
	$ 451,107	$ 457,044	$ 421,430
Statutory			
Salaries, Wages and Employee Benefits	$ 2,298	$ 2,366	$ 2,563
Supplies and Services	2,687	2,361	2,399
Financial Transactions and Other	21,266	16,914	18,136
Amortization of Tangible Capital Assets	431	434	434
Valuation Adjustments			
Provision for (Recovery of) Doubtful Accounts	200	318	(1,141)
Provision for Vacation Pay	649	72	1,854
(Decrease) Increase in Motor Vehicle Accident Claims Liabilities	-	(868)	4,374
	$ 27,531	$ 21,597	$ 28,619

Ministry of Justice
Schedule to Financial Statements
Budget
Year ended March 31, 2011

Schedule 4

	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget
			(in thousands)		
Revenues					
Transfers from the Government of Canada	$ 13,179	$ -	$ 13,179	$ -	$ 13,179
Investment Income	600	-	600	-	600
Premiums, Fees and Licences	40,916	-	40,916	-	40,916
Other Revenue	116,772	-	116,772	-	116,772
	171,467	-	171,467	-	171,467
Expenses – Directly Incurred					
Voted Expenses					
Ministry Support Services	21,989	-	21,989	-	21,989
Court Services	182,282	-	182,282	-	182,282
Legal Services	166,115	-	166,115	11,700	177,815
Support for Legal Aid	53,810	-	53,810	-	53,810
Public Trustee	14,761	-	14,761	-	14,761
Medical Examiner	12,150	-	12,150	-	12,150
Credit or Recovery Shortfall	-	(935)	(935)	-	(935)
	451,107	(935)	450,172	11,700	461,872
Statutory Expenses					
Motor Vehicle Accident Claims	26,682	-	26,682	-	26,682
Valuation Adjustments					
Provision for Doubtful Accounts	200	-	200	-	200
Provision for Vacation Pay	649	-	649	-	649
	27,531	-	27,531	-	27,531
	478,638	(935)	477,703	11,700	489,403
Net Operating Results	$ (307,171)	$ 935	$ (306,236)	$ (11,700)	$ (317,936)
Equipment/Inventory Purchases	$ 3,840	$ -	$ 3,840	$ (2,240)	$ 1,600

(1) Adjustment includes Credit or Recovery Shortfall.
(2) Supplementary Estimates were approved on March 14, 2011.

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31, 2011

Schedule 5

SUMMARY	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
				(in thousands)			
Voted Expense and Equipment/Inventory Purchases (EIP)							
1 Ministry Support Services	$ 21,989	$ -	$ 21,989	$ -	$ 21,989	$ 18,203	$ 3,786
2 Court Services	183,282	-	183,282	-	183,282	187,971	(4,689)
3 Legal Services	166,640	-	166,640	11,700	178,340	168,484	9,856
4 Support for Legal Aid	53,810	-	53,810	-	53,810	58,810	(5,000)
5 Public Trustee	17,001	-	17,001	(2,240)	14,761	14,893	(132)
6 Medical Examiner	12,225	-	12,225	-	12,225	10,200	2,025
Credit or Recovery Shortfall (Schedule 2)	-	(935)	(935)	-	(935)	-	(935)
	$ 454,947	$ (935)	$ 454,012	$ 9,460	$ 463,472	$ 458,561	$ 4,911
Statutory Expense							
Motor Vehicle Accident Claims	$ 26,682	$ -	$ 26,682	$ -	$ 26,682	$ 22,075	$ 4,607
Valuation Adjustments	849	-	849	-	849	(478)	1,327
	$ 27,531	$ -	$ 27,531	$ -	$ 27,531	$ 21,597	$ 5,934
Operating Expense	451,107	(935)	450,172	11,700	461,872	457,044	4,828
Statutory Expense	27,531	-	27,531	-	27,531	21,597	5,934
Equipment/Inventory Purchases (EIP)	3,840	-	3,840	(2,240)	1,600	1,517	83
	$ 482,478	$ (935)	$ 481,543	$ 9,460	$ 491,003	$ 480,158	$ 10,845

Ministry of Justice **Schedule 5 (Cont'd)**
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31, 2011

Voted Expense and Equipment/Inventory Purchases (EIP)	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
				(in thousands)			
1 MINISTRY SUPPORT SERVICES							
1.0.1 Minister's Office	$ 574	$ -	$ 574	$ -	$ 574	$ 610	$ (36)
1.0.2 Deputy Minister's Office	616	-	616	-	616	545	71
1.0.3 Communications	531	-	531	-	531	392	139
1.0.4 Corporate Services							
- Expense	12,335	-	12,335	-	12,335	11,607	728
- Equipment/Inventory Purchases (EIP)	-	-	-	-	-	9	(9)
1.0.5 Human Resources	3,870	-	3,870	-	3,870	3,634	236
1.0.6 Management Information Services	4,063	-	4,063	-	4,063	1,406	2,657
	$ 21,989	$ -	$ 21,989	$	$ 21,989	$ 18,203	$ 3,786
2 COURT SERVICES							
2.1 Program Support							
2.1.1 Program Support Services							
- Expense	$ 24,881	$ -	$ 24,881	$ -	$ 24,881	22,849	2,032
- Equipment/Inventory Purchases (EIP)	1,000	-	1,000	-	1,000	978	22
2.1.2 Chief Provincial Judge's Office	2,793	-	2,793	-	2,793	3,440	(647)
2.1.3 Law Libraries	4,443	-	4,443	-	4,443	4,310	133
2.1.4 Ticket Processing	28,412	-	28,412	-	28,412	30,581	(2,169)
2.1.5 Provincial Civil Claims	900	-	900	-	900	2,100	(1,200)
2.1.6 Aboriginal Court Worker Program	3,964	-	3,964	-	3,964	4,007	(43)
2.1.7 Civil Mediation	2,227	-	2,227	-	2,227	1,534	693
2.1.8 Self-Represented Litigant Services	857	-	857	-	857	878	(21)
	$ 69,477	$ -	$ 69,477	$ -	$ 69,477	70,677	(1,200)

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31, 2011

Schedule 5 (Cont'd)

Voted Expense and Equipment/Inventory Purchases (EIP)		2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
					(in thousands)			
2.2	**Calgary Court Operations**							
2.2.1	Calgary Court of Queen's Bench	$ 9,843	$ -	$ 9,843	$ -	$ 9,843	$ 10,623	$ (780)
2.2.2	Calgary Provincial Courts	24,957	-	24,957	-	24,957	26,024	(1,067)
2.2.3	Calgary Family Justice Services	3,095	-	3,095	-	3,095	2,757	338
2.2.4	Calgary Operations Support	1,921	-	1,921	-	1,921	2,052	(131)
		$ 39,816	$ -	$ 39,816	$ -	$ 39,816	$ 41,456	$ (1,640)
2.3	**Edmonton Court Operations**							
2.3.1	Edmonton Court of Queen's Bench	$ 9,273	$ -	$ 9,273	$ -	$ 9,273	$ 9,591	$ (318)
2.3.2	Edmonton Provincial Courts	21,666	-	21,666	-	21,666	21,763	(97)
2.3.3	Edmonton Family Justice Services	3,196	-	3,196	-	3,196	2,834	362
2.3.4	Edmonton Operations Support	2,475	-	2,475	-	2,475	2,471	4
2.3.5	Alberta Review Board	264	-	264	-	264	361	(97)
		$ 36,874	$ -	$ 36,874	$ -	$ 36,874	$ 37,020	$ (146)
2.4	**Regional Court Operations**							
2.4.1	Lethbridge Courts	$ 4,557	$ -	$ 4,557	$ -	$ 4,557	$ 4,722	$ (165)
2.4.2	Red Deer Courts	4,267	-	4,267	-	4,267	4,827	(560)
2.4.3	Grande Prairie Courts	2,193	-	2,193	-	2,193	2,331	(138)
2.4.4	Peace River Courts	1,692	-	1,692	-	1,692	2,220	(528)
2.4.5	Wetaskiwin Courts	1,674	-	1,674	-	1,674	1,564	110
2.4.6	Fort McMurray Courts	1,938	-	1,938	-	1,938	1,707	231
2.4.7	St. Paul Courts	2,034	-	2,034	-	2,034	2,257	(223)
2.4.8	Drumheller Courts	519	-	519	-	519	486	33
2.4.9	Medicine Hat Courts	1,577	-	1,577	-	1,577	1,762	(185)
2.4.10	Regional Provincial Courts	7,596	-	7,596	-	7,596	7,953	(357)
2.4.11	Regional Family Justice Services	2,438	-	2,438	-	2,438	2,047	391
2.4.12	Regional Operations Support	1,464	-	1,464	-	1,464	1,504	(40)
		$ 31,949	$ -	$ 31,949	$ -	$ 31,949	$ 33,380	$ (1,431)

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31, 2011

Voted Expense and Equipment/Inventory Purchases (EIP)	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
				(in thousands)			
2.5 Court of Appeal							
2.5.1 Court of Appeal	$ 5,166	$ -	$ 5,166	$ -	$ 5,166	$ 5,438	$ (272)
	$ 5,166	$ -	$ 5,166	$ -	$ 5,166	$ 5,438	$ (272)
	$ 183,282	$ -	$ 183,282	$ -	$ 183,282	$ 187,971	$ (4,689)
3 LEGAL SERVICES							
3.0.1 Law Reform	$ 400	$ -	$ 400	$ -	$ 400	$ 400	$ -
3.0.2 Legislative Counsel	2,555	-	2,555	-	2,555	2,230	325
3.0.3 Civil Law							
- Expense	42,510	-	42,510	(1,000)	41,510	33,943	7,567
- Equipment/Inventory Purchases (EIP)	25	-	25	-	25	9	16
3.0.4 Criminal Justice	79,537	-	79,537	-	79,537	79,921	(384)
3.0.5 Maintenance Enforcement							
- Expense	22,600	-	22,600	-	22,600	20,505	2,095
- Equipment/Inventory Purchases (EIP)	500	-	500	-	500	404	96
3.0.6 Safe Communities	18,513	-	18,513	12,700	31,213	31,072	141
	$ 166,640	$ -	$ 166,640	$ 11,700	$ 178,340	$ 168,484	$ 9,856
4 SUPPORT FOR LEGAL AID							
4.0.1 Legal Aid Plan	$ 53,810	$ -	$ 53,810	$ -	$ 53,810	$ 58,810	$ (5,000)
	$ 53,810	$ -	$ 53,810	$ -	$ 53,810	$ 58,810	$ (5,000)

Ministry of Justice **Schedule 5 (Cont'd)**
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31, 2011

Voted Expense and Equipment/Inventory Purchases (EIP)	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
				(in thousands)			
5 PUBLIC TRUSTEE							
5.0.1 Public Trustee							
- Expense	$ 14,761	-	14,761	-	14,761	14,867	(106)
- Equipment/Inventory Purchases (EIP)	2,240	-	2,240	(2,240)	-	26	(26)
	$ 17,001	-	17,001	(2,240)	14,761	14,893	(132)
6 MEDICAL EXAMINER							
6.0.1 Medical Examiner							
- Expense	$ 12,150	-	12,150	-	12,150	10,109	2,041
- Equipment/Inventory Purchases (EIP)	75	-	75	-	75	91	(16)
	$ 12,225	-	12,225	-	12,225	10,200	2,025
Credit or Recovery Shortfall (Schedule 2)	$ -	(935)	(935)	-	(935)	-	(935)
	$ 454,947	(935)	454,012	9,460	463,472	458,561	4,911

Statutory Expense	2010-2011 Estimates	Adjustment[1]	2010-2011 Budget	Authorized Supplementary[2]	2010-2011 Authorized Budget	2010-2011 Actual	Unexpended (Over Expended)
				(in thousands)			
Motor Vehicle Accident Claims	$ 26,682	$ -	$ 26,682	$ -	$ 26,682	$ 22,075	$ 4,607
Valuation Adjustments	849	-	849	-	849	(478)	1,327
	$ 27,531	$ -	$ 27,531	$ -	$ 27,531	$ 21,597	$ 5,934

(1) Adjustment includes Credit or Recovery Shortfall.
(2) Supplementary Estimates were approved on March 14, 2011.

Ministry of Justice
Schedule to Financial Statements
Salary and Benefits Disclosure
Year ended March 31, 2011

Schedule 6

	2011				2010
	Base Salary[1]	Other Cash Benefits[2]	Other Non-Cash Benefits[3]	Total	Total
Senior Official					
Deputy Minister[4]	$ 264,576	$ 1,750	$ 64,205	$ 330,531	$ 327,807
Executives					
Assistant Deputy Ministers					
Client and Corporate Services	185,472	1,750	45,107	232,329	230,506
Court Services[5]	160,600	3,882	14,281	178,763	228,349
Criminal Justice	196,752	1,750	50,027	248,529	245,922
Legal Services	196,752	1,750	46,545	245,047	243,928
Safe Communities and Strategic Policy[6]	182,964	1,750	45,896	230,610	153,137

Prepared in accordance with Treasury Board Directive 12/98 as amended.

(1) Base salary includes pensionable base pay.

(2) Other cash benefits include vacation payouts and lump sum payments. There were no bonuses paid in 2011.

(3) Other non-cash benefits include the government's share of all employee benefits and contributions or payments made on behalf of employees including pension, supplementary retirement plans, health care, dental coverage, group life insurance, short and long term disability plans, professional memberships and tuition fees.

(4) Automobile provided, no dollar amount included in other non-cash benefits.

(5) This position was occupied by two individuals through the year and was vacant for the period May 15, 2010 to July 4, 2010.

(6) The positions of Executive Director, Policy Secretariat and Executive Lead, Safe Communities were combined to create an Assistant Deputy Minister position in August 2009.

Ministry of Justice **Schedule 7**
Schedule to Financial Statements
Related Party Transactions
Year ended March 31, 2011
(in thousands)

Related parties are those entities consolidated or accounted for on the modified equity basis in the Province of Alberta's financial statements. Related parties also include management in the Ministry.

The Ministry and its employees paid or collected certain taxes and fees set by regulation for premiums, licences and other charges. These amounts were incurred in the normal course of business, reflect charges applicable to all users, and have been excluded from this Schedule.

The Ministry had the following transactions with related parties recorded on the Statement of Operations and the Statement of Financial Position at the amount of consideration agreed upon between the related parties:

	Other Entities	
	2011	2010
Expenses – Directly Incurred		
Service Alberta	$ 6,491	$ 7,586
Grants	1,280	-
Other Services	7	6
	$ 7,778	$ 7,592

At March 31, 2011 the Ministry recorded accounts receivable from Service Alberta for Motor Vehicle Accident Claims (MVAC) fees and Abandoned and Seized Vehicle fines on the Statement of Operations and Statement of Financial Position of $2,358 (2010 - $1,974). The Ministry also included an outstanding deposit from Service Alberta of $7,883 (2010 - $7,950) in the Various Court Offices Trust as at March 31, 2011.

The Ministry also had the following transactions with related parties for which no consideration was exchanged. The amounts for these related party transactions are estimated based on the costs incurred by the service provider to provide the service. These amounts are not recorded in the financial statements but are disclosed in Schedule 8.

	Other Entities	
	2011	2010
Revenues		
Legal Services	$ 28,135	$ 27,409
	$ 28,135	$ 27,409
Expenses – Incurred by Others		
Accommodation	$ 65,057	$ 65,586
Service Alberta	9,487	8,564
Other Services	184	336
	$ 74,728	$ 74,486

Ministry of Justice
Schedule to Financial Statements
Allocated Costs
Year Ended March 31, 2011
(in thousands)

Schedule 8

Program	2011 Expenses[1]	Expenses – Incurred by Others: Accommodation Costs[2]	Expenses – Incurred by Others: Service Alberta and Other Services	Valuation Adjustments[3]: Doubtful Accounts	Valuation Adjustments[3]: Vacation Pay	Valuation Adjustments[3]: Motor Vehicle Accident Claims Liabilities	2011 Total Expenses	2010 Total Expenses
Voted								
Ministry Support Services	$ 18,194	$ 1,846	$ 9,671	$ -	$ (70)	$ -	$ 29,641	$ 27,499
Court Services	186,993	49,823	-	129	(439)	-	236,506	225,822
Legal Services	168,071	10,104	-	-	689	-	178,864	162,383
Support for Legal Aid	58,810	75	-	-	-	-	58,885	53,877
Public Trustee	14,867	1,621	-	-	(3)	-	16,485	15,989
Medical Examiner	10,109	1,167	-	-	(65)	-	11,211	10,441
	$ 457,044	$ 64,636	$ 9,671	$ 129	$ 112	$ -	$ 531,592	$ 496,011
Statutory								
Motor Vehicle Accident Claims	$ 22,075	$ 421	$ -	$ 189	$ (40)	$ (868)	$ 21,777	$ 28,524
	$ 479,119	$ 65,057	$ 9,671	$ 318	$ 72	$ (868)	$ 553,369	$ 524,535

(1) Expenses – Directly Incurred as per Statement of Operations, excluding valuation adjustments.
(2) Costs shown for Accommodation (includes grants in lieu of taxes) on Schedule 7, allocated by square footage.
(3) Valuation Adjustments as per Statement of Operations. Provision for Doubtful Accounts and Provision for Vacation Pay included in Valuation Adjustments were allocated as follows:

- Vacation Pay - allocated to the program by employee,
- Provision for Doubtful Accounts - estimated allocation to program.

Other Information

Other Financial Information

The following information is unaudited.

Statement of Compromises and Write-offs

Civil Law Legal Services Delivery

Fine Activity Information

Fine Collection Cost Estimates

Office of the Public Trustee, Estates and Trusts Financial Statements

Statement of Compromises and Write-offs
For the Year Ended March 31, 2011

(Unaudited)

(in thousands)

The following Statement of Compromises and Write-offs has been prepared pursuant to Section 23 of the *Financial Administration Act*. The statement includes all compromises and write-offs that the Ministry of Justice made or approved during the fiscal year.

Compromises:		
Motor Vehicle Accident Recoveries	$	137
Maintenance Enforcement		9
	$	146
Write-offs:		
Fines	$	3,343
Fines – Late Payment Penalty		1,615
Abandoned and Seized Vehicles		146
Maintenance Enforcement Program		492
	$	5,596
Total Compromises and Write-offs	$	5,742

Civil Law Legal Services Delivery

Current and Prior Year Comparison
(Unaudited)

Staff Providing Services

Civil Law provides legal and related strategic services to all government ministries. Civil Law maintains a time keeping system to enable its lawyers, paralegals and articling students to record and report the hours of legal services provided in total to each Ministry and their respective programs. In 2010-11, 200 lawyers, paralegals and articling students recorded in excess of 240,000 hours of provided legal services and in 2009-10, 188 such staff recorded more than 242,000 hours. The total hours of service to each Ministry is used as the basis to allocate legal services costs.

Cost of Legal Services

The costing methodology to estimate the costs for providing legal services for allocation to all client ministries includes the total cost of Civil Law less expenditures on contracted services and grants to third parties. A proportionate amount for support services provided by Client and Corporate Services and Human Resource Services is included in the estimate. The estimate includes accommodation costs for office space in government owned or leased buildings as paid by and reported by the Ministry of Infrastructure, and also includes all or part of salary and benefit costs for lawyers paid directly by client ministries. The estimated costs are allocated to each Ministry based on the hours of service received. The Ministry of Justice, as a service provider, sends the legal services cost information to each Ministry for disclosure in the Related Party Transactions Schedule and the Allocated Costs Schedule to the financial statements of each ministry's annual report.

Client Satisfaction Rate

The Client Satisfaction Rate is based on a survey of client ministries. In 2010-11, the percentage of client ministries who were *satisfied* to *very satisfied* with the legal services provided was 90 per cent. No survey was conducted in 2009-10 due to the implementation of a biennial survey schedule. This performance measure is fully described under Goal 5 in this annual report.

Current and Prior Year Comparison

The table below summarizes the estimated cost of allocated legal services, the number of hours allocated, the average hourly cost and the client satisfaction rate.

Cost Estimates	2010-11	2009-10
Total Civil Law Costs	$ 33,148,014	$ 31,504,054
Deduct Contract Services, Grants, and Amortization	111,167	169,622
	$ 33,036,847	$ 31,334,432
Add: Support Services	1,222,590	1,497,948
Accommodation	1,504,190	1,292,182
Client Cost for Lawyers	3,779,806	4,073,410
Total Legal Services Costs for Allocation	$ 39,543,433	$ 38,197,972
Number of Hours of Service Provided	240,653	242,105
Average Hourly Cost	$ 164.32	$ 157.77
Client Satisfaction Rate	90%	N/A

Fine Activity Information
(Unaudited)

Federal and Provincial Statute Offences and Municipal Bylaw Offences

A management information report summarizes fine activity by the recipients entitled to the fine or penalty revenue. The municipalities receive specific provincial statute offence fines and all municipal bylaw fines for offences occurring within municipal boundaries. The majority of municipal fine activity occurs in cities, towns, counties and municipal districts. The Alberta government receives fine revenue for provincial statute offences occurring on primary highways and other specific provincial statute offences. The Alberta government receives any late payment penalties on overdue fines and some fines under the *Criminal Code of Canada* and retains 16 2/3% of *Traffic Safety Act* fines. The Victims of Crime Fund, administered by Alberta Solicitor General and Public Security, receives a 15 per cent surcharge on all provincial statute fines and a surcharge on selected federal statute offences. These surcharge revenues are used to fund victims programs in Alberta. The federal government receives fine revenue for federal statute offences and selected fines under the *Criminal Code*.

The tables below summarize fines payments for the twelve months from April 2010 to March 2011 and for the twelve months from April 2009 to March 2010 by the recipient level of government.

Fine Payments – April 2010 to March 2011

Recipient	Number of Fine Payments		Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,652,377	$	132,470,388	54.6%
Alberta Government	210,102		35,974,782	14.8%
Victims of Crime Fund	Note		26,370,330	10.9%
Federal Government	2,624		1,965,531	0.8%
Late Payment Penalty	754,487		18,240,707	7.5%
Fine Retention	Note		27,703,643	11.4%
Total	2,619,590	$	242,725,381	100.0%

Fine Payments – April 2009 to March 2010

Recipient	Number of Fine Payments		Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,349,189	$	122,807,757	52.7%
Alberta Government	235,549		38,812,433	16.6%
Victims of Crime Fund	Note		25,252,719	10.8%
Federal Government	2,679		2,548,627	1.1%
Late Payment Penalty	651,037		17,214,874	7.4%
Fine Retention	Note		26,549,964	11.4%
Total	2,238,454	$	233,186,374	100.0%

Note: The Number of Fine Payments for Victims of Crime Fund and Fine Retention have been accounted for in the other recipient categories.

Fine Collection Cost Estimates
(Unaudited)

Overview

Costing methodologies have been developed to estimate the cost of collecting a provincial statute fine and the cost of collecting a federal statute (*Criminal Code* and other) fine. The estimated cost of collecting a provincial statute fine is related to the number of violation tickets received by all Provincial Court offices in Alberta. The estimated cost of collecting a federal statute fine is related to the approximate number of Fine Orders in all Provincial Court offices. The estimated costs are those incurred by Alberta Justice in Court Services, Criminal Justice and Client and Corporate Services programs.

Estimated Cost of Collecting a Provincial Statute Fine – 2010-11 and 2009-10

There were 1.927 million violation tickets received by all Provincial Court offices in 2010-11 and 1.750 million in 2009-10. The major cost components for Court Services are the Calgary and Edmonton Provincial Traffic Courts, ticket processing costs in the Regional Provincial Courts and the cost of violation ticket printing and direct general and regional overhead expenditures. Criminal Justice costs include paralegal prosecutors and support staff and first appearance centres in Calgary and Edmonton. Client and Corporate Services costs are for the operation and maintenance of the Justice Online Information Network (JOIN) system applicable to violation tickets and for postage and handling of the Notice of Conviction mail-outs.

The table below summarizes the provincial statute and municipal bylaw fine payments received and the cost for violation tickets received by all provincial courts.

		2010-11	2009-10
Total Provincial Statute and Municipal Bylaw Payments Received			
Provincial Acts - Fine and Surcharge		$ 195,088,694	$ 186,814,134
Municipal Bylaw		15,215,779	14,025,198
Late Payment Penalty		18,240,707	17,214,874
Total Violation Ticket Payments	A	$ 228,545,180	$ 218,054,206
Cost for Violation Tickets Received by All Courts			
Total Estimated Cost	B	$ 30,580,501	$ 30,283,009
Cost per Dollar Collected	(B/A)	$ 0.13	$ 0.14

Estimated Cost of Collecting a Federal Statute Fine – 2010-11 and 2009-10

There were 39,314 Fine Orders in all Provincial Court offices in 2010-11 and 30,545 in 2009-10. The major cost components for Court Services are the salary and benefit costs of court staff and Provincial Court judges with associated supplies and services costs. Criminal Justice costs are primarily the salary and benefit costs of the Crown prosecutors. Client and Corporate Services costs are for the operation and maintenance of the JOIN system applicable to criminal case tracking. Client and Corporate Services also pays for the salary and other operating costs for the Fines Enforcement Unit who collects *Criminal Code* fines on behalf of all courts in the province.

The table below summarizes the federal statute fine payments received and the cost for all Fine Orders prepared by all Provincial Court offices.

		2010-11	2009-10 (Restated)
Total Federal Statute Payments Received			
Federal Acts - Fine and Surcharge	A	$ 14,180,276	$ 15,132,190
Cost for Fine Orders by All Courts			
Court Services and Criminal Justice		$ 24,397,532	$ 17,867,367
Client and Corporate Services		986,492	1,074,160
Total Estimated Cost	B	$ 25,384,024	$ 18,941,528
Cost per Dollar Collected	(B/A)	$ 1.79	$ 1.25

Office of the Public Trustee (OPT)

Estates and Trusts

Financial Statements

Year Ended March 31, 2011

Independent Auditor's Report

Common Fund Statement of Revenues and Expenses

Statement of Net Assets Administered

Statement of Changes in Net Assets Administered

Notes to the Financial Statements

Independent Auditor's Report

AUDITOR GENERAL *Alberta*

To the Minister of Justice and Attorney General

Report on the Financial statements

I have audited the accompanying financial statements of the Office of the Public Trustee, Estates and Trusts, which comprise the statement of net assets administered as at March 31, 2011, and the common fund statement of revenues and expenses, and the statement of changes in net assets administered for the year then ended, and a summary of significant accounting policies and other explanatory information. The financial statements have been prepared by management using the described basis of accounting in Note 2.

Management's Responsibility for the Financial statements

Management is responsible for its determination that the described basis of accounting is acceptable in the circumstances, preparation and presentation of these financial statements in accordance with the accounting policies described in Note 2, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audits in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements of the Office of the Public Trustee, Estates and Trusts as at March 31, 2011 are prepared, in all material respects, in accordance with the basis of accounting described in Note 2.

Basis of Accounting

Without modifying my opinion, I draw attention to Note 2 to the financial statement, which describes the basis of accounting. The financial statements are prepared to comply with the provisions of the *Public Trustee Act* for administration of the common fund and client guaranteed accounts, and provides information on the other client net assets administered by the Office of the Public Trustee. The financial statements are prepared in accordance with the described basis of accounting and, therefore, may not be suitable for another purpose.

Merwan N. Saher, CA

Auditor General
June 14, 2011
Edmonton, Alberta

Office of the Public Trustee
Estates and Trusts
Common Fund Statement of Revenues and Expenses
Year ended March 31, 2011

(in thousands)

	2011	2010
REVENUE		
Revenue from investments	$ 17,629	$ 18,388
Gain on sale of investments	1,107	584
Interest from cash deposits	104	54
Recovery of prior period expenses	-	75
	18,840	19,101
EXPENSES		
General expenses	1	1
Assurance payments (Note 7)	120	195
Common Fund transfer (Note 2(g))	1,964	2,402
	2,085	2,598
NET INCOME	16,755	16,503
INTEREST PAID TO CLIENTS (Note 2(f))	13,064	13,985
NET INCREASE IN COMMON FUND NET ASSETS	3,691	2,518
COMMON FUND NET ASSETS -- BEGINNING OF YEAR	65,775	63,257
COMMON FUND NET ASSETS – END OF YEAR	$ 69,466	$ 65,775

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Statement of Net Assets Administered
As at March 31, 2011

	(in thousands) 2011	2010 Restated
COMMON FUND ASSETS		
Cash (Note 4)	$ 14,025	$ 9,438
Accrued Investment Income	4,673	4,946
Common Fund Accounts Receivable	-	33
Investments (Note 5)	443,067	442,280
	461,765	456,697
Client Guaranteed Accounts	(390,192)	(388,368)
	71,573	68,329
CLIENT ASSETS		
Client Guaranteed Accounts	390,192	388,368
Accounts Receivable (Note 2(d(i)))	3,757	3,505
Securities and Investments (Note 2(d(ii)) and (Note 6)	68,868	66,627
Real Estate Holdings (Note 2(d(iii)))	24,040	31,722
Personal Property and Other Assets (Note 2(d(iv)))	774	979
	487,631	491,201
TOTAL ASSETS	$ 559,204	$ 559,530
COMMON FUND LIABILITES		
Accounts Payable and Accrued Liabilities	$ 2,107	$ 2,554
CLIENT LIABILITIES		
Accounts, Mortgages and Notes Payable (Note 2(d(v)))	18,798	15,668
Estate Administration Fees Payable to the Public Trustee (Note 2(e))	8,735	9,393
	27,533	25,061
	29,640	27,615
NET ASSETS ADMINISTERED		
Common Fund	69,466	65,775
Client Assets	460,098	466,140
	529,564	531,915
TOTAL LIABILITIES AND NET ASSETS ADMINISTERED	$ 559,204	$ 559,530

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Statement of Changes in Net Assets Administered
Year ended March 31, 2011

(in thousands)

	2011	2010
INCREASE IN CLIENT ASSETS		
Client Pensions, Benefits, Settlements and Other Funds Received	$ 91,141	$ 90,853
Interest Paid to Clients from Common Fund	13,064	13,985
Net Client Assets Acquired During the Year (Note 2(h))	31,933	41,234
Other Client Income	927	972
TOTAL INCREASE IN CLIENT ASSETS	137,065	147,044
DECREASE IN CLIENT ASSETS		
Cash Distributions to Clients, Beneficiaries and Heirs	48,813	50,870
Payments for Client Care and Maintenance	61,842	59,446
Net Assets Released to Clients, Beneficiaries and Heirs	22,593	20,654
Taxes Paid from Trust Funds	2,113	2,614
Net Change in Liabilities During the Year	2,700	3,050
Estate Administration Fees Paid to Public Trustee (Note 2(e))	5,046	5,445
TOTAL DECREASE IN CLIENT ASSETS	143,107	142,079
NET INCREASE (DECREASE) IN CLIENT ASSETS	(6,042)	4,965
NET CLIENT ASSETS ADMINISTERED - BEGINNING OF YEAR	466,140	461,175
NET CLIENT ASSETS ADMINISTERED - END OF YEAR	460,098	466,140
NET INCREASE IN COMMON FUND NET ASSETS	3,691	2,518
NET COMMON FUND ASSETS ADMINISTERED - BEGINNING OF YEAR	65,775	63,257
NET COMMON FUND ASSETS ADMINISTERED - END OF YEAR	69,466	65,775
NET ASSETS ADMINISTERED - END OF YEAR	$ 529,564	$ 531,915

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Notes to the Financial Statements

Note 1 Authority and Purpose

The Public Trustee of Alberta ("Public Trustee") operates under the authority of the *Public Trustee Act*, SA 2004, C.P. 44.1, ("the *Act*") and other provincial statutes to protect the financial interests of vulnerable Albertans by administering the estates of represented adults, decedents and minors.

These statements reflect the operations of the Common Fund and the net assets held in trust and activity for the estates and trusts administered by the Office of the Public Trustee.

The Ministry of Justice of Alberta ("the Ministry") is accountable for the Office of the Public Trustee (OPT) as a part of the Ministry. The Ministry pays the operating costs of the OPT. The operating costs of the OPT are not included in these statements and can be found in the financial statements of the Ministry.

Note 2 Summary of Significant Accounting Policies and Reporting Practices

(a) Basis of Accounting

These financial statements have been prepared in accordance with a special purpose framework with the significant accounting policies described below. The financial statements have been presented to report on the OPT's fiduciary responsibilities in respect of the administration of client estates and Common Fund as required under the *Public Trustee Act* and the *Public Trustee Investment Regulation*.

(b) Common Fund and Client Guaranteed Accounts

The *Public Trustee Act* Section 31(2) requires (with certain exceptions) that the money received by the Public Trustee for a client to be paid into the Common Fund. Section 33(3) requires any amount paid into the Common Fund for a client under section 31(2) to be credited to the client's guaranteed account with the Public Trustee.

Section 31(4) of the Act states that no client or other person has any claim to or against the Common Fund except as provided by section 33. Section 33(6) states that the amount outstanding on a client's guaranteed account is a charge against the assets of the Common Fund and is unconditionally guaranteed by the Crown.

Note 2 Summary of Significant Accounting Policies and Reporting Practices

Section 32(1) of the *Act* states that assets may be transferred out of the Common Fund only as expressly required or permitted under the *Act*. Section 32(2) allows funds to be transferred out of the Common Fund to pay the client, to pay an expense or liability of the client (including Public Trustee fees authorized by section 40), or similar purposes. Amounts transferred from the Common Fund under section 32(2) are deducted from the client's guaranteed account (section 33(4)). Section 32(3) allows the Public Trustee to transfer amounts from the Common Fund to cover expenses of operating the Common Fund (e.g. bank charges, custodianship fees, investment advisors fees). Section 32(4) allows the Public Trustee, in accordance with the *Public Trustee Investment Regulation (Regulation)*, to transfer amounts from the Common Fund to be applied to the cost of administering the *Act*. Amounts transferred from the Common Fund under either section 32(3) or section 32(4) are not deducted from clients' guaranteed accounts (section 32(5)), but are charged against Common Fund operations.

Section 34 of the *Act* states that the Public Trustee, in accordance with regulations, sets the interest rate to be credited to client guaranteed accounts.

(c) Common Fund

Common Fund assets are valued in accordance with Canadian Public Sector Accounting standards.

(i) Investments

Common fund investments are recorded at cost. They include bonds, mortgages, equity investments and cash equivalents. Investment income is accrued as earned. Purchase price premiums or discounts are amortized on a straight-line basis over the remaining term of the investment.

Unless otherwise noted, it is management's opinion that the investments are not exposed to significant interest, currency, credit or market risks. Further disclosure regarding investment risks is described in Note 5. The fair values of these investments approximate their carrying values unless otherwise noted.

(ii) Revenues

All Common Fund revenues are reported on the accrual basis of accounting.

(iii) Assets

Assets of the Common Fund are assets that could be used to discharge existing liabilities or finance future operations and are not for consumption in the normal course of operations of the Common Fund.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(iv) Liabilities

Liabilities of the Common Fund are recorded to the extent that they represent present obligations as a result of events and transactions occurring prior to the end of the fiscal year. The settlement of liabilities will result in the future sacrifice of economic benefits.

(d) Client's Assets and Liabilities

(i) Accounts Receivable

Client accounts receivable include pension and other benefits, life insurance policies, mortgages, leases and other miscellaneous receivables.

Represented Adult pension plans with a guaranteed minimum payment are recorded at a nominal value of $1 and adjusted to residual value at the date of death of the client. Plans where there is no residual value are recorded at a nominal value of $1.

Life insurance policies that carry a cash surrender value are stated at cash surrender value. Policies that do not carry a cash surrender value are recorded at a nominal value of $1.

If the Public Trustee considers it appropriate, a represented adult's trusteeship plan will permit the represented adult to open or maintain a deposit account at a financial institution with a proposed maximum balance of $2,500. These bank accounts are used on a regular basis by the represented adult clients and fluctuate significantly throughout the year. These accounts are recorded at a nominal value of $1.

All other receivables are recorded at their face value.

(ii) Securities and Investments

Client securities and investments, held for clients outside the common fund, consist of bonds, annuities, shares, RRSPs, RDSPs, term deposits, guaranteed investment certificates and other investments. Annuities are recorded at the present value of their guaranteed term. If there is not a guaranteed term, the annuity is recorded at a nominal value of $1. Client securities and investments are recorded at their market value at the time the OPT assumes responsibility for the investment. Client securities and investments for Represented Adults are updated to market value as of December 31 each year. Client securities and investments for decedent's accounts remain at market value as at the date the office assumed responsibility for the investment.

Where a market value for an investment is not readily available, the investment is recorded at a nominal value of $1. The carrying value of the investment is adjusted to market value if one subsequently becomes available.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(iii) Real Estate Holdings

Client real estate holdings are recorded at the property tax assessment value at the time the OPT assumes responsibility for the property.

Buildings and other assets are not depreciated in future periods after the initial value is determined. It is the opinion of management that there would be no value to develop and implement an amortization policy for client real estate. These are primarily personal residences.

Where the property tax assessed value for property is not readily available, for example with foreign property, the property is recorded at a nominal value of $1. The carrying value of the property is adjusted to a property tax assessed value if one subsequently becomes available.

(iv) Personal Property and Other Assets

Client personal property and other assets are recorded at a nominal value of $1 at the time the OPT assumes responsibility for the assets.

The OPT does obtain independent valuations of clients' personal property if the assets are believed to be valuable. Client assets such as jewellery, collectibles, and antiques are appraised for insurance purposes and this amount is recorded. For other client personal property where external valuations are readily available (such as vehicles) these valuations are recorded. Other client personal property such as household furniture, pictures, bikes, etc are recorded at $1 as there is no material resale value for these items.

(v) Accounts Payable, Mortgages and Notes Payable

Client accounts payable, mortgages and notes payable represent encumbrances of client assets that are payable to independent third parties. These client obligations are settled as client resources become available. In some cases, a client's liabilities exceed the stated value of his/her assets. These items are included as accounts payable when they have been verified by the creditor and are paid as the resources of the client become available. The carrying value of these liabilities approximates fair value.

(e) Estate Administration Fees

Public Trustee fees on all official guardian accounts are calculated and collected in the month of the annual anniversary of the opening of the file. Fees are accrued for the period from the anniversary date to the Statement of Net Assets Administered date. For accounts opened prior to January 1, 2005 a one-time calculation of fees on official guardian accounts was completed to December 31, 2004 and recorded as a liability. These fees will be collected from the client at the end of the Public Trustee's administration.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

Public Trustee fees for represented adult accounts are calculated and collected annually on the trust's anniversary date. Fees are accrued for the period from the anniversary date to the Statement of Net Assets Administered date.

Public Trustee fees on decedent accounts are not charged until the trust or account is distributed. Fees are accrued from the period of the date the trust account was opened until the Statement of Net Assets Administered date.

In addition to the above stated administration fees the Public Trustee may, in accordance with section 40(1)(a) of the Act, charge the client any fee that the Public Trustee deems is reasonable for any service, including legal services, that the Public Trustee provides to the client or for a task or function performed by the Public Trustee for the benefit of the client. Under section 40(1)(b), the Public Trustee is entitled to collect from the client any expense reasonably incurred on the client's behalf.

Administration fees paid by the clients to the OPT, with the exception of cost recoveries, are remitted to the Minister of Finance and Enterprise and are included in the revenue of the Ministry of Justice and Attorney General.

(f) Interest Paid to Clients

Section 34 of the Act states that the Public Trustee shall set the interest rate for each category of guaranteed accounts in accordance with the *Regulation*. Interest must be credited to guaranteed accounts in accordance to this section and the *Regulation*. Interest is calculated on the minimum daily balance of each client's account and is credited to the client's account monthly. The interest rate as at March 31, 2011 is 3.25% (2010 – 3.5%).

(g) Common Fund Transfer

The Public Trustee, in accordance with section 32(4) of the *Act* and the *Regulation*, may transfer amounts from the Common Fund to the General Revenue Fund to be applied to the cost of administering the *Act*. Up to an amount not exceeding 1% of the prior year's common fund assets at the beginning of the fiscal year may be transferred annually to the Ministry of Finance and Enterprise to fund specific initiatives that have been approved by Treasury Board.

(h) Net Client Assets Acquired During the Year

Net client assets acquired during the year consists of client assets acquired during the year as well as valuation adjustments to assets acquired in previous years, and the difference between the proceeds on assets sold and the value of the asset. Assets are valued in accordance with policies in note 2. Other items on the Statement of Changes in Net Assets Administered do not include valuation adjustments.

Note 3 Measurement Uncertainty

Measurement uncertainty exists when there is a variance between the recognized or described amount and another reasonably possible amount. In particular, the fair value of many assets is estimated at the time the Office of the Public Trustee assumes the responsibility for the assets. Actual results could differ from those estimates.

Note 4 Cash

(in thousands)

	2011	2010
Operating bank accounts	$ 12,034	$ 7,404
Investment portfolio	4	68
CCITF	1,987	1,966
Total	$ 14,025	$ 9,438

Cash consists of demand deposits in the Consolidated Cash Investment Trust Fund (CCITF). The CCITF is administered by the Ministry of Finance and Enterprise with the objective of providing competitive interest income to depositors while maintaining maximum security and liquidity of depositors' capital. The portfolio comprises high quality short-term and mid-term fixed-income securities with a maximum term-to-maturity of three years. As at March 31, 2011, securities held by the CCITF have a time-weighted rate of return of 1.05% per annum (2010 – 0.95% per annum).

Note 5 Common Fund Investments
(in thousands)

The table below represents the investment asset mix and for fixed-income investments shows the remaining terms to maturity and interest rates as of March 31, 2011.

	0 to 5 years	5 to 10 years	Over 10 years	2011	2010
Government of Canada bonds Interest rate	$ 32,294 1.25% to 4.00%	$ 877 3.35% to 4.10%	$ 305 4.69% to 5.75%	$ 33,476	$ 33,992
Province of Alberta bonds Interest rate	$ 10,647 5.85%	-	-	$ 10,647	$ 19,811
Other Provinces bonds Interest rate	$ 133,646 3.15% to 6.10%	$ 18,777 3.20% to 4.50%	$ 10,213 4.60% to 9.38%	$ 162,636	$ 148,209
Municipal bonds Interest rate	$ 17,793 5.90%	$ 150 3.80%	-	$ 17,943	$ 23,078
Corporations bonds Interest rate	$ 57,767 4.17% to 5.06%	$ 61,356 3.49% to 6.65% and at variable rates	$ 23,732 5.22% and at variable rates	$ 142,855	$ 145,426
ATB Financial bonds Interest rate	$ 5,987 4.10%	-	-	$ 5,987	$ 5,967
Equity Investments	-	-	$ 13,723	$ 13,723	$ 13,529
Cash Equivalent	$ 3,545	-	-	$ 3,545	$ 13,649
Mortgages Interest rate	$ 25,489 4.23% to 6.54%	$ 185 4.20% to 4.35%	$ 2,864 at variable rates	$ 28,538	$ 20,925
Other – Asset Backed Interest rate	$ 23,141 3.82% to 5.42%	-	-	$ 23,141	$ 17,415
Other – US Treasury Interest rate	-	-	$ 318 5.00%	$ 318	-
Interest Receivable Diversified Portfolio	$ 258	-	-	$ 258	$ 279
Total	$ 310,567	$ 81,345	$ 51,155	$ 443,067	$ 442,280
Market Value March 31				$ 451,254	$ 453,785

Note 5 Common Fund Investments

The OPT recognizes that, by their nature, investments carry with them certain risks. The investment policy employed by the OPT is designed to mitigate these risks as much as possible by placing restrictions on the overall content and quality of the permitted investments. The following describes the risks associated with the investments portfolio, managed through an investment manager, by the Public Trustee.

Price and Interest Risk

Price risk refers to the potential that the value of the investments will fluctuate as a result of foreign currency, interest rate and general market changes.

The market value of the Common Fund investments will fluctuate with changes in foreign currency, interest rate and general market changes. To mitigate these risks the Public Trustee works with an investment advisor and an investment manager that actively manage asset class allocations on permitted investments based on the Statement of Investment Policy and Guidelines (SIP&G). The Public Trustee also manages market risk and interest rate risk by limiting the quantity and quality of interest rate sensitive investments based on policies and guidelines in the SIP&G.

Credit and Liquidity Risk

Credit and liquidity risk arises from the potential for an investee to fail or for an issuer to default on its obligations to the Common Fund. The Public Trustee mitigates this risk by developing policies and guidelines in the SIP&G that limits the quantity and quality of the permitted investments to high quality, highly rated equity investments and highly rated fixed income securities.

Note 6 Client Assets - Securities and Investments

(in thousands)

Client securities and investments consist of:

	2011	2010
Term and RRSP Deposits	$ 11,030	$ 10,735
Government of Canada Bonds	1,339	1,046
Shares and Other Securities	56,499	54,846
Total	$ 68,868	$ 66,627

Due to the numerous unique client investments, it is not practical to determine market value or described rates of return on these investments.

Note 7 Assurance Payments

(in thousands)

Section 35(1) of the *Act* states that the Minister of Justice and Attorney General may authorize an amount to be transferred from the Common Fund to a person who has suffered a loss as a result of an act or omission of the Public Trustee, if the Public Trustee certifies that it is just and equitable to make the payment. Under section 35(2) the amount of the claim may not exceed the amount by which the value of the assets of the Common Fund exceeds the total amount outstanding on guaranteed accounts immediately before the payment. During the year, the Office of the Public Trustee made assurance payments of $120 (2010 - $195).

Note 8 Contingent Liabilities

(in thousands)

At March 31, 2011, the Public Trustee is a defendant in nine legal claims (2010 – eight legal claims). Seven of these claims have specified amounts totalling $926,732 and the remaining two have no specified amount (2010 - seven claims with a specified amount of $927,542 and one with no specified amount). Included in the total legal claims are six claims amounting to $918,480 (2010 – five claims amounting to $919,290) in which the Public Trustee has been jointly named with other entities. Four claims amounting to $913,400 (2010 – six claims totalling $920,990) are covered by the Alberta Risk Management Fund.

Note 9 Comparative Figures

(in thousands)

Certain 2010 figures have been reclassified to conform to the 2011 presentation.

An adjustment was required in the recording of transactions related to investments at March 31, 2010. Comparatives for 2010 have been restated as follows:

	2010 Prior	Adjustment	2010 Adjusted
Common Fund Accounts Receivable	$ 568	$ (535)	$ 33
Investments	442,279	1	442,280
Accounts Payable and Accrued Liabilities	3,089	(535)	2,554

Note 10 Approval of Financial Statements

The Deputy Minister of Justice and Deputy Attorney General and the Public Trustee approved these financial statements.

Annual Report Extracts and Other Statutory Reports

Anti-Terrorism Act

Section 83.31 of the *Criminal Code of Canada* requires the Attorney General of Alberta to publish an annual report on the operation of those parts of the Act dealing with investigative hearings and recognizance with conditions.

This constitutes the annual report of the Attorney General of Alberta covering the period from December 24, 2009 to December 24, 2010.

I. Report on the Operation of Section 83.28 and 83.29
(Investigative Hearing)

The Attorney General of Alberta reports that there were no applications initiated under these sections of the *Criminal Code of Canada*. As such, there is no data to report in relation to the reporting requirements under paragraphs 83.31(1)(a) to (c) of the *Criminal Code of Canada*.

II. Report on the Operation of Section 83.3
(Recognizance with Conditions)

The Attorney General of Alberta reports that there were no cases initiated under this section of the *Criminal Code of Canada*. As such, there is no data to report in relation to the reporting requirements in paragraphs 83.31(2)(a) to (f) of the *Criminal Code of Canada*.

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